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Britton A. Hill

LIBERTY AND LAW

OR

OUTLINES OF A NEW SYSTEM FOR THE ORGANIZATION AND ADMINISTRATION OF FEDERATIVE GOVERNMENT.

BY

BRITTON A. HILL.

SECOND EDITION, REVISED AND GREATLY ENLARGED.

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PREFACE TO THE FIRST EDITION.

In the course of thirty-five years' practice of the law, I have had many opportunities to observe the operations of our Federative form of government, and of our different State constitutions and laws, upon the welfare, rights, and liberties of the citizens for whose benefit they were ordained and enacted.

A careful study has convinced me that the main danger to the permanence of our Federative republican institutions lies, firstly, in an originally deficient machinery of State and Federal organization; and, secondly, in a misconception on the part of our governments, State and Federal, of their full duties under the law. To the former defects we owe the outbreak of the late war, which, under a properly constructed machinery of State and Federative governments, would never have occurred; to the latter we owe the growth of those powerful monopolies that, in conjunction with ignorance and impurity, — alternately supporting and deriving support from these, — threaten every form of liberty that has grown dear to us.

The demoralization consequent upon the late war has hastened the general recognition of this latter defect in our political organization, by developing the powers of those monopolies in our midst to an extent which makes the danger threatened by them directly perceptible to every citizen.

It would have been useless at any previous period in our history to expose these sores on our political body and prescribe their cure. But I think the time has come now when the minds of the people are ripe for a thorough reorganization of our State and Federative governments, leaving the grand idea of their founders untouched in the main, but supplying the elements that are needed in order to remove the disorders which must otherwise undermine their life.

It may be objected that it is too bold a task to sketch even the mere outlines of such an organization, and I readily concede that no higher one can engage the mind of man, than to delineate such a plan through all its features, State, Federal, and International. Nor can I say anything in deprecation, except that the thought of this work has engaged the best part of my life, and accompanied me throughout all my experience of legal practice and a careful study of civilizations, of hygiene, and past and contemporary history.

If, however, I fail in presenting such a plan in its completeness of organization under constitutional and codified systems of laws, I can only hope

that others following in the same direction, with greater ability, will accomplish this more perfectly than I have done. With a well-grounded belief in the capacity of the human race for an unlimited advance in government, morality, law, art, science, and all other means whereby the miseries, crimes, follies, and evils of life may be lessened, and its happiness increased as much as possible by wise and just systems of laws, bearing equally upon all, I send this work forth to the people, to plead the cause of the oppressed, and to break down the despotic systems and monopolies that now fortify and increase the power of the oppressors.

BRITTON A. HILL.

ST. LOUIS, August, 1873.

INTRODUCTION TO THE FIRST EDITION.

In considering the history of all governments heretofore established by man, the student feels disheartened to meet everywhere inadequateness and failure. From the earliest beginning of history, when, under a patriarchal form of rule, men first were led to the conception of a government of law, through all the various forms of government that have since arisen and been swept away, the common result of disappointment and failure stares him everywhere in the face, most discouragingly in the oldest organized countries of the earth, — in China, Persia, Egypt, and India, — where despotism rules so absolutely, that its principal check is the dagger of the assassin. The aspect is, nevertheless, sad enough even in the younger civilizations of Europe; and it is only in our own country that, by the establishment of a Federative republic, a hopeful state of things has finally been brought about, which is constantly threatened, however, by the growth of various forms of despotism within and around it.

It cannot but prove instructive to examine into the causes of this universal previous disappointment, and to discover the reason why all former attempts at the establishment of adequate governments of law have proved failures, and what it was in their organizations that became the elements of their destruction, or their perversion to the purposes of tyranny.

If it appears that these destroying elements were in all cases some forms of special prerogatives conferred upon a part of the people, to the exclusion of all others, — either a prerogative of caste, of hierarchy, of exclusive right to rule, or of money-monopoly, — we shall be taught to comprehend what measures we ourselves require to ward off the dangers that threaten us now and in the future, and the fate that has overtaken all other governments and peoples in the past.

Again, if it shall appear that their inadequateness had its cause always in a neglect to provide for the utmost development of all the faculties of mind and body of all citizens, thus fostering ignorance, impurity, and vice to assist the prerogative elements in their movement to crush the happiness, rights, and liberties of the people, we shall be able to realize more effectively the necessity of protecting every citizen in his threefold functions as a member of the physical world, as a member of the spiritual-intellectual world, and as a member of the social State, against all the encroachments and injuries to which he may be exposed.

Against the hierarchial-caste element, which overthrew the Mosaic fabric of government, we, under our Constitution, which recognizes no form of religion of any kind, but leaves each person to worship God according to the dictates of his own conscience, need not fear nor legislate; but the despotism of any part of the governmental power, be it the legislative, the executive, the judicial, or merely the despotism of a majority under unconstitutional and unjust laws, must certainly be met by the most effective checks. The deadly rule of impurity, ignorance, and vice we must abolish altogether; and we must crush the old and new tyrannies, that are growing up in our midst, and which in all free States and cities have, at all times and everywhere, in the Greek as well as in the Italian republics, been most fatal, because most insidious, — the tyrannies of money-power, of monopolies, and of class legislation.

No State of ancient or modern times has ever made this its definite aim and object, and the neglect to rise to this high and truly rational view of the purpose of government sufficiently accounts for the numberless disheartening failures. If at times great thinkers, like Plato, Aristotle, and Confucius in the old world, and Fichte, Hegel, and others in the modern world, have tried to grasp this problem, at least theoretically, the result has been in the former cases simply a collection of idealistic dogmatic notions, having no connection with the actual relation between men under a government of law; and in the case of the latter, an arbitrary vindication of existing forms, without regard to their inherent justice or sufficiency. Unsuccessful as have been the great legislators of antiquity, the philosophers that should have pointed out the defects in their legislation, and the remedies, only wandered still farther astray.

The problem now submitted to American statesmen is to discover how to perfect the wise creation of *our* great legislators, — of Washington, Jefferson, Adams, Henry, Madison, Franklin, Paine, Hamilton, and others, — by adding to it all that a strictly philosophical comprehension of their work may demand, regardless of any traditional superstition that may have influenced them in the construction of our form of government.

In the present work I purpose to make an attempt in this direction; so that, by removing existing evils and abuses, they may successfully withstand all the dangers of the future. I do this without prejudice or favor, submitting the needed reforms to the people for their examination and amendment.

In the present book, having first very briefly criticized the historical forms of government of previous times, so far as they have any bearing upon ours and teach us the dangers that threaten us, I proceed to announce and justify the true fundamental principles of a State organization generally, and by their analysis to apply them to the actual legislation needed.

Extending this application to the threefold function of men, I show how a representative government that intends to realize its purpose to its full extent must establish by positive legislation, first, a complete system of sanitary laws, to protect the bodies of its citizens against all impurities and disease, the breeders of misery and crime; second, a complete system of edu-

cation, extending to every function of the mind and body, to protect the intellectual culture of its citizens against the evil influences of ignorance and superstition in all forms, and against pauperism, by providing each one with the means of making a livelihood; and, third, a complete system of intercommunication between men, whereby to take from out of the despotic influence of money, and all other monopolies, the terrible power which they so long have wielded to oppress the people, and to exercise that power, through a State organization and federation, for the benefit, not for the injury, of the people.

In this work I purpose to develop the application of those fundamental principles as requiring, for the purpose of securing to all men immunity from the unlawful interference of others, first, a code of laws and a constitution for each State; second, a political constitution for the federative republic of all the States; and, third, an international constitution for all the States of the world, as they may gradually, and one after another, see the wisdom of adopting such a legal international form of government, if it be practicable, as I believe it to be.

While the code of laws will point out the civil and criminal legislation needed, the constitution will be shown to demand a synthetical form, wherein alone the double requirement of all government — (1) that it should have absolute power to carry out all its purposes and laws for the good and happiness of all, and (2) that it should be absolutely checked in the exercise of that power whenever attempted to be wielded in an unjust and improper way — can (3) be united in its character of a federative republic. This triune characteristic, entering all the functions of the State organization, will necessarily also be applied to them, separating the whole organization primarily into legislative, judicial, and executive departments.

Thus, each person may become the architect of his own fortunes, under the wise universal protection and aid of a government of law, having one common object: the permanent good and happiness of each citizen; and the people may come to regard the State as a friend, and the rule of law as the only safeguard for the preservation of liberty under the forms of representative federative systems of government.

In the organization of the judicial department of the Federal republic, I propose to prevent future wars between the States, and restore all the States to a just and equal sovereignty under the law, by organizing as a permanent safeguard an interstate national judicial tribunal, whose functions shall be to determine all controversies between the federative States, between one or more States and the Federal government, and between the citizens of any State and Federal or State governments; in which court any State or the Federal government may be sued, and suffer judgment by due course of law or equity.

Two other Federal judicial tribunals, of separate, distinct jurisdictions over all other causes and proceedings provided for in the code of the Federative government, should be organized, with an appeal in important causes to the Supreme Interstate National Court.

I shall, finally, recommend the organization, by the consent of several or all

of the civilized nations of the world, of an international judicial tribunal for the legal settlement of all controversies between States, nations, kingdoms, and empires; providing for the selection of a judicial officer from each nation that enters this international federation, and to form a court to settle all disputes and controversies between nations; to render judgment on trial before this international court; and to regulate and adjust all cases of controversies between the same parties in the interchange of moneyed values, and the settlement of balances between all parts of the said international federation, by the organization of an international clearing-house under the jurisdiction and control of such court.

Thus, from the lowest function of government, — to provide for the direct security and sanitary welfare of each citizen, — my work will trace its duties to the highest in the creation of an international court, which may remove all just causes of war between the federated nations, and realize the common wish of all good men by the maintenance of universal peace.

In this age, when the forces of heat and electricity, manifested in the telegraph and the steam-power, have brought the people of the world into such near contact and communication with each other that the welfare of each individual is more intimately connected with that of his fellow-men than ever before; when even the locked-up civilization of Japan opens itself to the influence of our own, and seeks to establish our own imperfect systems of law, of education, and of money of divers kinds: it is clearly our duty to raise our energies to a level with the spirit of the age, and discover, if we can, a truly universal system of federative government, under wise, equal, just, harmonious, and all-embracing laws, that shall be applicable to all races, nations, castes, and men, that may be subjected to its influence, and which may effectually secure to one and all, for all time to come, the greatest good, happiness, morality, wisdom, and perfection that humanity is capable of attaining.

PREFACE TO THE SECOND EDITION.

It is now seven years since the First Edition of "Liberty and Law under Federative Government" was published; and so generous has been its reception by the public, as evidenced by numerous changes in our governmental policy since its publication, — changes which I had therein suggested as reforms required for the purification and perpetuation of our republican form of government, — that I have been encouraged to give to the public a Second Edition, greatly enlarged, and more fully carrying out the purpose which I had in view when I first undertook the work.

It must now have become far more clearly and generally manifest than it was even seven years ago, that the entire organization of our legislative, executive, and judicial departments of government must be radically remodelled and reformed, if we would save for ourselves and our posterity the rights and liberties which our forefathers sought to secure for us, but which unchecked corruption in every branch of the State and Federal governments, rapacious corporations, fostering and fostered by that corruption, have already swallowed up in great part, and now threaten to devour altogether.

Our Federal Constitution was adopted, and, indeed, our whole form of government was organized for the purpose of securing to each citizen life, liberty, property, and equality of rights, through a representative republic. The people were no longer to be plundered, down-trodden, and enslaved for the benefit of a king and a few nobles; but were to govern themselves, by themselves, and for themselves.

This object, it must be confessed, has been realized beyond the most sanguine expectation, and to the astonishment especially of the outside world, which had prophesied that a republic was a chimera, — that only kings, or at the best, an aristocracy, could govern the masses of mankind, and that those masses could never be brought to govern themselves.

But a new form of despotism has arisen since the beginning of this century, a despotism of which the founders of our government had not, and could not have had any adequate conception, and against which they therefore did not make any provision. This is the despotism of chartered corporations and other forms of money-monopolies, by which the people have since been as insidiously plundered as they were publicly plundered in former times by the claimants of God-given and hereditary prerogatives. And here I may as well revert to the legal power claimed by corporations. It is held, and perhaps justly held, that a "State" granting a perpetual charter to a corpo-

ration cannot repeal that charter unless some misuser or default has been made by the corporation. The ground taken is, that the United States Constitution forbids any State from passing new laws invalidating contracts; and that a charter granted by a State is in the nature of a contract, and therefore cannot be repealed under the provision of the Federal Constitution.

Now, leaving the latter assertion undisputed, — since I cannot well argue the constitutional issue here, — it is very clear, that a charter granted by Congress is repealable by Congress, and is not a contract within the meaning of the Federal Constitution. Congress has quite as much right to annul the charters granted to the Pacific Railroad Companies as the British Parliament has to extinguish any public corporation to which it has given legal existence. The application of this principle will appear more clearly in the Second Part of this work, where I speak of public highways. I may mention here, however, that even a State of a federative republic cannot be barred by any legislative enactment which would deprive it of the power to annul perpetual charters. The legislature of a State, which is elected every one, or two, or four years comes to have the power to make all the people who elected them, slaves of any one or more corporations, simply by means of a charter granted in perpetuity.

The greater part of this work deals with the problem how effectually to eradicate this evil and provide against its reappearance, restoring to the people their lost rights and liberties, and, so far as possible, their stolen property. These objects can be attained only, as I shall show, by a radical reconstruction of the whole government, — State, Federal, and municipal; and since our present State and National Constitutions have not, as we have seen, provided against this new form of a money and corporation despotism, the first essential step to be taken is to call a general national convention for the purpose of framing a new Federal Constitution, that shall effectively terminate all existing Federal monopolies and prevent for the future the growth of similar polypi, and kill off the possibility of that political corruption which was prolific enough to engender these monsters and provide them with the food which has swelled them to their present enormous dimensions; their blood-sucking arms stretching in every direction from the shores of the Atlantic to those of the Pacific Ocean, and from Alaska to the Rio Grande del Norte.

So far as this new Federal Constitution will necessitate changes in the *form* of our government, that subject is discussed in those chapters of the First Part of this work that bear the heading, "General Principles of a Federative Government." Those changes involve the following main points: —

1. A thorough reconstruction of the legislative department, extending its powers vastly in many respects, so as to enable the government to repossess itself of the usurped powers of corporations and monopolies, and manage them in the future for the benefit of the people; but, on the other hand, so tying its hands by constitutional limitations and provisions of criminal prosecution for official malfeasance, that this most disgraceful feature of American politics may be forever wiped out from the future pages of our history. This should

include a constitutional provision confining each session to a specified term, — say two or three months, — so that the real business of the session may not be left to drag over until the very last days of the term; and, for the same reason, each committee to which a bill is referred should be constitutionally required to definitely report within at least fourteen days.

2. A thorough change in the organization of our judiciary, which shall effectually check that tendency towards judicial despotism and corruption which of late years has assumed formidable dimensions, and, if allowed to develop itself, will of itself put an end to our free institutions, however pure the other departments may be.

3. A subdivision of our general Federal Union into five parts, each such part embracing a certain number of States, or organized on the same principle as our general Federal Union, — *i.e.*, with a separate congress, judiciary, and executive.

a. The five congresses of these five sub-Unions to meet, after the close of their respective sessions, in one general congress, forming the legislative department of the whole Federal Union.

b. The five executives to choose from their midst, at each such general congressional session, a presiding officer, who shall then be president of the whole Federal Union for the ensuing year; but his power of appointment to be limited to diplomatic and consular offices. All other Federal officials to be elected.

c. The five judiciaries of the five sub-Unions to constitute, as will be explained hereafter, an Interstate National Court, which will relieve the present United States Supreme Court of a large share of its labors. That present Supreme Court, however, to remain, with its collateral branches, substantially as at present.

4. A general codification of laws; which involves, of course, the abolition of the common law in the whole Federal Union and each of the separate States.

So far as the new Federal Constitution will necessitate changes in the nature of our governmental institutions, that subject is discussed in those chapters of the First Part that are headed "Public Hygiene" and "Public Education," and those chapters of the Second Part that are classified under the general heading, "Public Intercommunication."

Of course, my book has not been without its share of adverse criticism; mainly, I suppose, because it did not confine itself to the representation of any single grievance under which the people suffer, but gave expression to a great number of them, — those that were most prominent, — in a systematic form. This led persons who, perhaps, suffered specially from one kind of injustice or governmental neglect to applaud heartily those particular parts of my book which exposed their own grievances, and at the same time to look with disfavor upon other parts, in which they were not immediately interested, or to which their interests were adverse.

I shall now proceed to enumerate and controvert the chief objections of fair-minded writers, that have come to my notice.

These objections may be classified under two general heads: First, objections to the fundamental principles of the work; second, objections to the special forms proposed in it.

In this preface to the second edition I shall confine myself to controverting the first class of objections, as a reply to the second class will occur in the course of the work, in their separate order.

The chief objection raised against the fundamental principles of my book is, that I advocate in it the establishment of a "paternal government," — a form of government altogether at variance with our existing republican institutions and traditions. It is said that my proposed reforms would involve too much government, and various ancient maxims are quoted to the effect that "the least government is the best," etc.

Now, I might readily grant the correctness of the principle in the abstract, though I hold it to be a very faulty definition of a best government, and might yet contend that in its practical application it is subject to constant modification by existing circumstances. The real meaning of that principle is, indeed, simply this: that government is an institution, or contrivance, or agency whereby to secure to each individual member of a Commonwealth the utmost possible freedom compatible with the freedom of all other individual members of the same Commonwealth, without ever transgressing, or being able to transgress that, its only and exclusive prerogative.

That the *least* government cannot realize this object has been, I think, conclusively established by me in this work. It may answer for a savage tribe; not for civilized communities. There is, no doubt, in every upgrowing community a time when it is of paramount necessity to confine governmental functions within the narrowest possible limits; but as civilization progresses, population increases, and the great modern features of society, commerce and industry, are developed, the regulating power of that society — the government — must correspondingly outstep its original limits. Circumstances of time, space, and number come here to exercise their influence and demand practical consideration. Even as the amount of money requisite for the circulation of a country is determined not only by the number of its inhabitants, and the necessities of their business enterprises, but also by the extent of its territory and the distribution of its population over that territory, so the requisite legislation and constitutional limitations for a nation depend to a great extent upon the size of the districts wherein the people are congregated. A form of government which may be perfectly adequate to secure the purpose of its organization — that is, the protection of the rights of each individual — for a sparsely distributed community may, nay, is most likely to be, very insufficient for an extensive and densely populated State; and the *least* government requisite for the administration of a large city may, on the other hand, be an extremely cumbersome, useless, and tyrannical piece of machinery for the administration of justice in a newly settled territory. Thus, a system of government that may be altogether too loose and inadequate for a city

like New York, may be an intolerable interference with individual freedom if applied to a State like Colorado, or to Territories like Nevada, Dakota, and Montana. The city of New York very properly arrests the man who lies down to sleep on its public walks, and takes him to a lodging at the police-station; the State of Colorado would commit an act of insufferable injustice were it to arrest and incarcerate the tramp who laid down to rest on the side of one of its public highways. Still, there is no qualitative distinction in the offence in either case. But that which constitutes the act an offence in the first case, and makes it perfectly innocent in the other case, is simply the quantitative distinction between a constantly thronged public street and a rarely frequented public road. This distinction, indeed, constitutes the ground of all our so-called police-laws and the innumerable regulations promulgated by the authorities of our larger cities; regulations which, while they seem to interfere with individual rights, abstractly considered, are indispensable for securing them practically. I need refer only to the raid upon gambling-houses and violent seizure of their keepers' property, or the arrest of suspicious characters and vagrants without any charge having been brought against them. Theoretically, there is no reason why I should not build my house in all respects to suit myself; and if I build in the country, no law will be likely to interfere with my doing so. But in a large city the law does interfere, on grounds of public safety as well as public health. An innocent act becomes thus, by mere change of locality, a criminal offence.

In short, to carry out the principle, that the least government is the best government, logically, would throw our whole present system of government back into primitive lawlessness and barbarism. There would be no police courts, no public highways, no public schools, public asylums, public sewers, public parks, etc., for none of these classes of institutions are directly necessary to secure the rights of each individual. But since those critics who charge my proposed scheme of government as being too paternal in its character, deny the necessity of those institutions in at least the more crowded sections of the United States, for the purpose of securing those rights, why will they not accept the logical consequences, and advocate with me the establishment by government of all such other institutions as our advanced civilization and increased population may render necessary for the attainment of the same purpose? If it is within the scope of the proper functions of a government to establish public sewers at public expense in order to preserve life and health, why not to establish a system of public parks, forestry, public railways, public telegraphs, river improvements, and the like? If it is granted that it is the duty of governments to erect and maintain asylums for the poor, the crippled, the deaf and dumb, the blind, and the insane, without regard to their religion, and that all citizens should be taxed alike for their support, on what ground do certain sects insist that government has not the right to tax all citizens equally for the support of public schools for the general education of all? And if it is conceded that the police have the right without warrant to arrest suspicious parties under certain circumstances, why should not the right be extended to them to require of *each* unknown per-

son to exhibit his credentials as a reputable citizen or traveller, in the nature of a passport, annexed to his photograph? We have already so far advanced on these principles of a representative government as advocated by me, that we have a fully organized weather signal-service, supported by public taxation, on the sole ground that it works for the general welfare. But if it is of general benefit to be furnished by the government with daily weather-bulletins, is it not still more necessary to furnish the people with a daily National and State newspaper, giving reliable authoritative accounts of all governmental transactions? We have in a tolerably complete state a system of coast-surveys and improvements (light-houses, harbor-dredging, etc.); is there any ground why our grand rivers should not enjoy a similar system of improvements, by jetties, dams, and dredging? Of course there must be lines by which to limit this administrative power of a government, if I may so call it, in distinction from the purely legislative power, — lines which separate a national republican form of government from a "paternal" despotism, that has no limitation at all, but is purely arbitrary. But I thought that I had been careful enough to emphasize my recognition of these limitations in every part of my work.

Trained as a lawyer from my youth, I certainly am little inclined to advocate "paternal" arbitrariness in a form of government as a substitute for a system of strict law; but neither do I feel disposed to see our government drift into a state of anarchy and lawlessness from sheer fear that some one's imaginary individual rights may be molested. The age wherein we live is not the age of the past; and in the United States, above all other countries of the world, the most stupendous changes in the social life of the people have taken and are continually taking place. But these changes require new governmental machinery; and the sooner we recognize the fact and apply such machinery the better. All other machinery, the product of our modern life, has been improved by American inventive genius; why should its political machinery alone remain at a stand-still.

"Liberty *and* Law" is the title of my book. The fullest possible freedom for each individual; but also the fullest necessary constitutional limitations to secure the rights of all other individuals against the despotism of class legislation and corporations. Hence the synthesis also of right and duty. No one can claim a right for himself without confessing duties to all his fellow-citizens, and only by assuming those duties can his rights be protected. It is "paternal" despotism, for instance, to take men from their homes, compel them to learn the art of war, as it is called, and then force them to exercise that art by killing brother men in battle; for this compulsion abrogates individual freedom altogether, and reduces the rational individual to a mere piece of machinery. But it is a very proper exercise of governmental functions to save and preserve human life as readily as to destroy it, to compel men to observe the rules of a proper system of sanitary legislation, however dictatorial it may appear, since that places his individual *caprice* within bounds, and is necessary for his own protection as well as that of his fellow-citizens. Even nations recognize the legality of such compulsory sanitary

legislation, and hence do not hesitate to enforce against each other — in case of epidemics, for instance — rules to prevent the spread of diseases. Even the diseases of vegetables — potatoes and vines, for instance — and of cattle are thus looked upon by nations as proper subjects of international legislation; and no nation pretends to say that such legislation is an illegal or improper interference with free commerce, or the right of travel. When the "black death" leaves its Asiatic home for a westward expedition, and Russia and Austria draw up military cordons along their frontiers to arrest its progress, none of the other nations of Europe protest against such sanitary measures as involving an interference with their rights; and even the refusal of several European countries to admit American hams, when the trichina mania prevailed, did not cause a remonstrance on the part of the United States.

In the early days of our republic, when the condition of the country at large was such as to require little general legislation, we find the attention of the great statesmen of those times directed chiefly to the problem, how to limit the powers of the general government to the least practicable extent. This, at the time, was quite proper; and no one can desire more sincerely than I do, that the fundamental principles of the republican government established by the wise statesmen who founded our republic, and greater than whom never since made appearance in our history, should forever be cherished in the hearts of the American people. But at the same time I hold that those fundamental principles, when logically carried out, and applied to such an extensive and intricate governmental machinery as ours has grown up to be since the days of those statesmen, require, of necessity, the reforms that I have pointed out.

In truth, I might go further and say, that many of these reforms were naturally considered by them; and left untouched simply because they were convinced, and justly so, that the time had not yet come to carry them out in practice, and that their descendants would engraft them upon the future American legislation and constitutions.

Let me cite an instance: One of the most important features of "Liberty and Law" is the proposition to inaugurate an entirely new money-system for the United States, by the establishment of an absolute legal-tender money for the whole nation. Now, this very same proposition was advanced at a very early day of our existence as a united republic by such statesmen as Thomas Jefferson, Benjamin Franklin, and later by John C. Calhoun, and many others. Thus, Benjamin Franklin is very explicit on this point, saying that "gold and silver are not intrinsically worth as much even as iron and lead."

Thomas Jefferson, the most enlightened of our American statesmen, says this: "Treasury-bills, bottomed on taxes, bearing *or not* bearing interest, as may be found necessary, thrown into circulation, will take the place of so much gold and silver. *Bank paper must be suppressed, and the circulation restored to the nation, to whom it belongs.*"

It would be impossible to condense my proposed scheme of finance for the United States in fewer words than these of the most illustrious founders of our government.

Were it necessary to refer to the very words and sentences used by the profoundest explorer of the deficiencies of our form of government, as fixed under the Constitution of the United States,— John C. Calhoun,— let me quote from one of his speeches on the currency question of 1832 these sentences: "It appears to me, bestowing the best reflection I can give the subject, that *no convertible paper* — that is, no paper whose credit rests on the promise to pay — *is suitable for a currency.* It is the form of credit proper in private transactions, between man and man, but not for a standard of value, to perform the changes generally which constitutes the approximate function of money or currency. *No one can doubt but that the government credit is better than that of any bank, — more stable and more safe.* Bank paper is cheap to those who make it, but dear, very dear, to those who use it. On the other hand, *credit of the government*, while it would greatly facilitate its financial operations, would cost nothing, or next to nothing, both to it and the people, and would, of course, add nothing to the cost of production, which would give every branch of our industries, agriculture and manufactures, as far as its circulation might extend, great advantages, both at home and abroad; and I now undertake to affirm, and without the least fear that I can be answered, that a paper issued by government, with the simple promise to receive it for all its dues, would, to the extent it could circulate, form a perfect paper circulation, which could not be abused by the government; that it would be as uniform in value as the metals themselves; and I shall be able to prove that it is within the Constitution and powers of Congress to use such a paper in the management of its finances, according to the most rigid rule of construing the Constitution."

Now, it is true, that this financial question, the question of money, was the question paramount in the minds of the founders of this government; but it is also clear to any one who reads the pages of the *Federalist*, that nearly all the other problems alluded to by me in this work engaged their attention. Thus, Jefferson, who was all in all the greatest American statesman, — though George Washington will ever and deservedly rank higher in the minds of the people of the whole world as the most disinterestedly good, unselfish man that the world has ever seen, — called early attention to the defects of our judiciary system. So did Patrick Henry to the deficiences in our Federal Bill of Rights.

But those grandest of men could not possibly have foreseen the contingencies that might arise in the course of our national development. They did not foresee the necessity of the acquisition of the Louisiana territory, still far less that of the territories of Texas and California; nor had they time or money to establish law codes on the manifold subjects that now engross our attention.

How could they have devised a legislation adequate to the new era of steam and electric machinery?

This, however, does not imply by any means that the form of our government has undergone, or need undergo a radical change. It is still, as it must always remain, a coöperative, representative government, organized by the

people of the United States for the purpose of protecting themselves in their individual rights, franchises, and liberties, against all forms of corporate, executive, legislative, and judicial despotism.

All our township, city, town, county, and State and Federal organizations have been and are constituted upon this basis of common protection and coöperation, to maintain a just equality of rights among citizens. But how can such a coöperative system be carried into effect unless the government has full power to check every act of the individuals composing that government which might interfere with the rights of the others, and at the same time is effectually limited against an undue and illegal exercise of that power? In one direction the power of the government must be absolute, in another direction it must be limited; this is the great synthesis which I have tried to develop in this book. It must be absolute in its power to protect the life, liberty, and property of each individual citizen; and it must be absolutely limited in its power to infringe upon the natural rights of such citizens, by injurious exercise of power by the executive, legislative, or judicial departments of the government, whether State or Federal.

Instead of saying, therefore, that my system would establish too much government for the welfare of the people, it should rather be said, that its purpose is to prevent the government officials from governing the people too much by class legislation, and robbing them of their property, their moneys, their public lands, and revenues, for the benefit of corporations. The increase as well as the dimunition and limitation of governmental power that will result from the adoption of my system will secure to all the people the common benefit of a national money-system, a Federal and State railway and telegraph system, and numerous other common benefits; and will effectually relieve them from political and corporate despotism, and financial and legislative peculation. The former object will be achieved by establishing the sanitary, educational, and public intercommunication codes that I have proposed herein; the latter object by limiting the State and Federal legislatures to the exercise of such powers only as are necessary for the protection of the natural rights of all citizens, and the development of all their resources and faculties, as also by limiting the arbitrary discretion of courts in interpreting and construing an unknown so-called common law, through the adoption of a code of statutory laws, to be, so far as possible, the same in every State of the Union, and arranged on the plan of the Pandects and the Code Napoleon, illustrated by the Codes of California and New York; and, finally, by limiting the present discretionary power of executive officials, through such a code of departmental laws as would make irregular and arbitrary action on their part next to impossible. By this latter clause I by no means desire to advocate what is called "civil service reform," a term imported from Europe, where all countries have a military and civil service, but utterly meaningless in the United States, where there is in theory and substantially only one service, — the civil service, — to which the military is always subordinate; for a reform which measures the capacity of individuals for consular duties, let us say, as an instance, by his acquaintance

with the higher mathematics, or languages, is about equally ridiculous and ineffective.

Let me recapitulate: In the same proportion as I desire to have the power of the government assert itself by taking control of all its highways, money-making, and other prerogatives, I want that government to be so checked, that it can under no circumstances whatever infringe upon the rights of the people, of whom the government is, after all, only the representative. Hence I insist that the Federal Constitution be amended so as to limit and restrain Congress from granting the public lands to any corporation or association; from making the United States a party to any corporation or association, for any purpose; and from granting, transferring, pledging, assigning, or in any way conveying the public moneys, credit, franchises, powers, or sovereignty of the government to any person or corporation, and from issuing any interest-bearing bonds of the United States for any purpose. And, furthermore, that means be taken to vacate all the land-grants to railroad corporations, excepting only for such lands as have already been sold by those corporations to innocent purchasers. At the same time the Federal government must take hold of and keep under governmental control the whole railway and telegraph systems of the country, managing them for the equal benefit of every citizen; as it manages the post-office system, for instance. There should be no more such special legislation as has disgraced Congress during the last fifty years, and whereby the people have been systematically robbed of their rights as well as property, for the benefit of a few grasping speculators and corporations, that were able to buy up Congress and the State legislatures. And if I am asked how this double task of granting Congress and the State legislatures more power, and at the same time prevent the passage of private swindling schemes, can be accomplished, I answer: by constitutional limitations, to be fixed by a National and by State conventions, which should inaugurate a new, better era for our politician-ridden republic. It can be done if we only make up our minds that it shall be done. The people are still the power in the republic; but unless they determine to exercise it by constitutional restrictions on their delegates, and enforce it by severe criminal penalties for such of their representatives who fail to perform their duty to the government, that power will soon pass out of their hands.

Having thus exposed the misapprehension which has led critics to attribute to this work a system of "paternal despotism," I need only bespeak for the present greatly enlarged edition of "Liberty and Law" the same favor which greeted its first appearance. If it shall still more vitally impregnate the American people with those new ideas of political government, that I consider essential to the restoration and preservation of our republic, under the era of social change and progress inaugurated in the course of this century, my highest ambition will have been realized.

BRITTON A. HILL.

ST. LOUIS, April, 1880.

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PART FIRST.

HISTORICAL.

CHAPTER I.

THE ORIGIN OF HISTORY.

Perhaps no other subject of pure speculation has ever engrossed the thought of mankind so much as this: What is the origin and history of man, from his first appearance on earth unto the present day? Where and in what degree of culture did he first make himself known on earth; and in what manner did he arrive at the stage of culture which he now occupies? Has he fallen or ascended? Was he originally a man in direct communion with God, or a monkey stretching out its paws to reach that communion? In answer to these contradictory questions there arise the arguments of two parties, the one of which says: Man is nothing but an evolutionized creature of the common dust-speck that you see dancing in the sunbeam before your eye; and the other of which holds that Man is a being fallen from original God-imageness into his present state of sin and misery.

Philosophically, we know that every theory or proposition advanced in regard to any subject finds its complement in a directly opposite proposition. Thus, for instance, no self-consciousness can be thought without its complement of a non-self-conscious matter. Or, to transfer the illustration to another purely mental science: the construction of a triangle or a square will always go hand in hand with that of a circle.

In the physical world, again, we also have always, in the same way, two contradictory phenomena at every point of time: the full-grown planet of the earth and the new-born meteors, the nebulæ of the Orion and the Orion itself.

Search back as far as you please into the geological history of the earth, and it makes no difference whether you take billions, millions, or thousands of years for your computation, you will always be

historically compelled to stop at an historically given period, beyond which only a wild and disordered phantasy will pretend it possible to penetrate.

May it not, therefore, appear most proper to sum up the two opposite views regarding the origin of man's existence on earth in this synthetical manner: We cannot possibly think a monad evolutionizing into a primitive man, without at the same time supplementing the thought by the conception of a complete, rational man, in the fullest possession of his divine possibilities; and history bears out this view. The earliest authentic record of our race represents Adam as the prototype of Jesus Christ, but surrounded by a race of men growing up as brutal as He was celestial; even as the divinely inspired Saviour appeared in the midst of a debased, sinful, earth-loving race of men, whom He came to teach the divine law of redemption and salvation through faith and love.

The philosophers had taught that the soul of the self-conscious man would become ever-living by the death of the body; that the law of inspiration from the divine fountain was fulfilled by the ever-continuing living of the divinely inspired human being.[1] But the divinely inspired God-Man taught the race how to attain the everlasting life of happiness and activity by a living faith and belief in God, and by loving God "with all thy heart, and soul, and mind, and thy neighbor as thyself."

Historically, no one can point out the original appearance of man upon the earth. The very nature of the case precludes the possibility of such an historical record. But it is very certain, both from philosophical reasonings and by the records of history, that, at least after the flood, man appeared in various parts of the globe at one and the same time approximately. In Mesopotamia, Babylon, Egypt, and Canaan there were men found in full communion with God; in other lands, as simply uninspired idolaters. The Bible traces out this duplicate of man's history very fully.[2] In short, to comprehend man's existence on this planet, we must assume that he primarily existed not only in the duplicate form of male and female, but also

[1] Plato, Phædo. Piazzi Smith, LL.D., Royal Astronomer of Scotland, the "Great Pyramid of Jeesah" (ed. 1877), on the inspired design and construction of the pyramid, 4,043 years ago. A miracle in stone.

[2] Genesis, Chaps. X.-XX.

under the duplicate form of two classes or races of men; the one being of a higher type, and living in liberty under law, and the other of downward gradations to the lowest possible type of man, in a state of slavery under unchecked despotism. The traces of these two races are manifest in every part of the globe. In the earliest historical account of the Bible we meet the records of the men of light and life bringing instruction to the children of darkness and death; in ancient Egypt we have the highest culture and inspiration of the age, in conjunction with the most degrading form of idolatry and slavery; in Peru, the Incas brought civilization from the south, from the lake of Titicaca, to the benighted inhabitants of the more northern regions; as to Mexico, it was brought from the north by the Toltecs; in the vastly populated domains of Asia we find in every separate country two distinct peoples, so to speak, the one unspeakably debased, the other of rare culture, — whether we turn to China, Japan, or India. The higher race, in every instance known to us, ascribed its advancement to direct inspiration, and enforced upon the lower race the unshakable belief that they stood in direct communion with the Godhead. In the historical records that have passed down to us from the most ancient traditions and writings, we find — when we ignore the younger civilization of the American and Australian continents — two mighty peoples: the one, the Aryans, occupying Central Asia, and possessed with an ineradicable tendency to wander westward. To the Aryans Europe owes its *population*. The other, the Egyptians, settled along the Nile; and to them Europe owes its *civilization*. The whole culture of Greece, which culture civilized all Europe, came direct from the swarthy inhabitants of Egypt and Ethiopia; and they had been taught mathematics and ethics by the contemporaries of the builders of the great pyramid at Jeesah.

But between these two mighty races a third race arises in history, the Semitic, occupying the bounteous district of land between the Persian and Arabic Seas westward to the shores of the Mediterranean; comprising Mesopotamia, Arabia, Syria, Phœnicia, and Canaan. It is of this third race that our Bible speaks chiefly, and to it that we owe what is most dear to us: the origin of man's history. For the first race, the Aryan, is traced by Moses down to Japhet; the second, the Egyptian, to Ham; and the third, the so-called Semitic race, to Shem, the ancestor of Abraham, and through him of David

and Jesus Christ. Of these three races the Aryan race is the most independently distinct, and, especially in its language, exhibits the most original structure; whereas the Semitic and Ethiopic languages betray at the first glance close relationship.

Now, a portion of this Semitic race, residing then in Mesopotamia, seems to have wandered at a very early stage of history westwardly to Palestine, or the land of Canaan, as it was then called, and under the patriarchal rule of Abraham, to have established itself there; keeping alive the traditions of a direct divine inspiration as communicated to the first parents of mankind. Being closely allied, as above stated, to the Egyptian race, by language as well as family connection, Abraham went, under the pressure of a famine, — to which scourge Canaan seems for many years to have been subjected, — to Egypt, and there seems to have enjoyed close relationship with the highest dignitaries of the country. Nor does he appear ever to have lost sight of the primitive divine monotheistic faith, which had been imbibed by him in Mesopotamia; though his cousin Lot did lose sight of it, and the only man whom he is reported to have found reared in the same faith was the priest Melchisedec.

Under Abraham's son Isaac, and his grandson Jacob, the monotheistic faith gradually dwindled away, and it was only revived under the extraordinary influence of Moses, when it recommenced its conflict with the "children of death and darkness." It is a portrayal of this conflict which constitutes history. For, as Hegel aptly remarks, history is simply the development of mankind into a self-consciousness of freedom. It describes, thus, a complete circle; starting from the unconscious fulness of freedom in the children of light and life, — the inspired race, as I have called it, — and by an immense struggle — a world-struggle — arising through the medium of the lower race into the highest perfection of mankind, wherein man not only is free, but also *knows himself* to be free, with a well-grounded consciousness of a future life of everlasting activity and happiness. We of the present age stand as yet but on the threshold of this struggle, which, indeed, from other grounds will be an infinite one. For this self-consciousness consists not only in arriving at a knowledge on the part of the whole world of the one God, and man's relation to Him, but of a free development of all the faculties he has grafted in us to attain the greatest good, happiness, inspiration, beauty, wisdom, and love, of which man's organization is

capable; that is to say, of State organization and law, of art and physical science, of philosophy and religion, — in short, a development to an infinite degree of our infinite faculties.

And should any one ask how it could possibly have come to pass that the comparatively few of the inspired race should have been able, in these six thousand years of our world-struggle, not only to have held its own against the lower race, but to have made the astounding progress which Christian and Hebrew civilization attest this day in all parts of the globe, I answer by pointing to that inexplicable phenomenon in mankind which man calls reverence, and of which Kant says:

"Far from being a feeling of enjoyment, reverence is rather a feeling to which we submit very unwillingly in respect to another person. We always try to discover something which might diminish this feeling in us, some kind of fault, to hold us harmless against the humiliation which such an example inflicts upon us. Even the dead, particularly if their example appears to be beyond our reach, are not always secure against this criticism. Nay, the very moral law itself, in its solemn majesty, is exposed to this tendency in man to escape the reverence it compels. Or, why that constant desire to drag it down to the level of an ordinary inclination, and that persistent endeavor to make it a favorite prescription for our own advantage and enjoyment, unless it is to escape that terrifying reverence which holds up to us so severely our own unworthiness? Yet, again, there is so little of disagreeableness in the feeling, that if we have once thrown aside our self-merit, and have admitted that reverence to practical influence upon us, we can never get satiated with the glory of this law; and our soul seems to elevate itself in the same degree as it sees this holy law elevated above itself and its sinful nature."

With this feeling, true religious inspiration has conquered the world. It was reverence before the mysterious inspirations of God and the divine teachings of Jesus Christ.

In the following brief historical sketches of the most prominent nations of the world I have attempted to give an outline of the manner in which this world-struggle has exhibited itself in various nationalities; not in its religious form, for that lies without the purpose of this book, but in the attempts it has made to secure for its proper development a proper form of government, from its earliest appearance in the world to its present highest development in our own country. These sketches will the better enable the reader to under-

stand why even this highest development should suffer from the deficiencies that I shall then point out, and to comprehend the fundamental principles laid down by me for a just government, with their full application to all the departments of a political State.

CHAPTER II.

THE MOSAIC CODE.

Of all the attempts of antiquity to establish a government that should secure the greatest good, happiness, and wisdom to men, and bear equally upon all persons in the State, the most perfect and successful was the oldest of which we have record, — the legislation of Moses.

A Hebrew of the tribe of the Levites, having fled from Egypt into Midian, where he had exiled himself for forty years under the protection of Jethro, a priest, whose daughter he married, Moses conceived there the idea to found a State with a government of law of divine origin; to realize those objects of the greatest good, happiness, and wisdom; and selecting the Hebrews, who had been nomadic tribes for several centuries before their arrival in Egypt, where they had since been enslaved, he hit upon the bold design of emancipating them from servitude and leading them out of Egypt into the land of Canaan, where he purposed to found a government of law that should apply equally to all citizens.

The law-giver was to be Jehovah, the interpreter between Jehovah and the people was to be Aaron, the brother of Moses, and the tribe of the Levites, of the family of Moses and Aaron, was to hold exclusively the office of the priestly order, which under this theocratic form of government was necessarily also the temporal governmental order, for all time to come; whilst out of their order was to be chosen the high-priest or chief magistrate, who was to interpret the will of God to His announced chosen people, with whom He intended to dwell in a tabernacle built for His worship, and wherein the ark of His covenant was to be placed, within the veil of His holy temple.

Judges were to be selected from all the tribes, according to their attainments and wisdom, to sit in judgment in all the actions and suits between the people, subject to a final appeal to the high-priest, who was the chief executive officer, — civil, judicial, political, and religious, — and who, moreover, might be the military leader in time of war. Every tribe regulated its own domestic affairs in all other matters. The whole form of government thus established by Moses was, therefore, that of a federative republic.

With such a great design of a form of government, altogether new for his time, and with a no less wonderfully elaborate code of laws to carry it out, prepared during his forty years of exile in the land of Midian, this hero came down to Lower Egypt, at the age of eighty years, to deliver his people from bondage, and to found a model government, under the direct protection and rule of Jehovah, whose voice he had heard in the burning bush on Mount Horeb, summoning him to deliver the people whom He had chosen to dwell with on earth, and to govern them by divine laws and authority, through the agency of a high-priest.

He delivered them from slavery, led them through the Red Sea, announced to them the divine law from Mount Sinai, purified them by daily instruction for forty years in the desert and the wilderness, approaching the land of Canaan by circuitous routes through a terrible pilgrimage of forty years, that was necessary to renew the Hebrew slaves of Egypt by new men and women born in this desert and wilderness, — a new race that might be obedient to the law and enured to the art and hardships of war; and, having accomplished this object, he ascended the height of Pisgah, gazed upon the distant land of Canaan, and died alone on Nebo's lonely mountain, in the land of Moab, where the great law-giver sleeps in an unknown grave.

The wonderful wisdom of Moses in laying down the fundamental principles of law for the just government of the people was not fully appreciated until some time after his death, when the effects of his system showed its results in the elevation of the Hebrews from the most abject slavery to a condition of comparative freedom and happiness, under the government of the high-priest and the judges that administered the law according to the code prepared by Moses.

The government thus established was in its nature strictly theocratic, and in its character the only one of the kind that has ever been established in the history of mankind; God himself being the

leader and king of His chosen people, the priesthood alone holding communion with Him in the sacredness of the tabernacle, and yet the people ruling themselves, and organized in the only rational form of government, which is that of a federative republic. For it seems evident that Moses intended originally to confine the communication of the priests with Jehovah in the main to spiritual matters, to elevate their moral nature, and bring them into that direct contact with the fountain of inspiration which alone can raise man from his degradation and lowliness.

This grand conception of a government derived from God himself, the King of the Hebrews, — immortal, invisible, all-powerful, and all-sufficient, — gave that people a confidence in their Divine Protector that made them invincible for more than four hundred years.

But this theocracy, though very powerful, was not strong enough to resist the corrupting influences of wealth, luxury, and absolute dominion. The vast difference between the social station and prerogative rights of the priesthood and the people of the other tribes laid the foundation of the monarchy and royal prerogative, which ended in the downfall of the State and the dispersion of the chosen people to the four winds of heaven.

Before such theocratic prerogative power the freedom of the individual Hebrew became a reproach. The people of the tribes were no longer freemen, but slaves of power and prerogative.

The priesthood, the highest office in the State, from whose ranks the high-priest, the chief ruler, was chosen, being confined to a single tribe, the family of Levi, that family thus became the fountain of all honor, power, and profit in the State. This aristocratic feature in the Mosaic constitution finally destroyed the civil liberty of the Jews and overthrew the State, while the changes made in the Mosaic code by this hierarchy for its self-interest uprooted the morality of the Mosaic law, and thus assisted in the final dispersion and ruin of the chosen people.

In this way the attempt of Moses to organize a State constitution for the realization of the highest good, happiness, and freedom of the people of his race resulted in a failure; and the most admirable attempt to form a State organization, based upon the only true principle of a federative republic, wherein every citizen was to be equally protected in his rights, and raised to the highest standard of excellence by an admirably contrived system of sanitary regulations, and

such moral education as the age was capable of after fifteen centuries, finally shattered, from the working out of the principles of latent despotism contained in the hierarchial element introduced into the plan of the republic by its illustrious founder.

It was by reason of the perpetual conflict introduced by this element in the Mosaic code between the laws applied to the people and physical nature, and the prerogative powers of the priesthood, that the civil fabric of the federative republic continued only about four hundred years, from the conquest of Palestine, in the year 1500 B. C., to the establishment of the Hebrew monarchy, in the year 1100 B. C. It was not important to the final failure of the Mosaic code of government whether the high-priest or a king exercised the supreme power; it was this despotic feature of the code itself which eventually, in its results, overthrew the liberties of the people and expelled them from the land of Judea, making them wanderers over the earth ever since.

And yet, in despite of the downfall of his political fabric, what a legislator must that man have been who was able to raise tribes that had sunk down to the lowest condition of slavery, to a moral consciousness and height which has kept the Jews a separate organization to this day! All other historical national bodies have perished; only the Jew has survived. Nay, more: having been for the second time cast down to the lowest depth of degradation, expelled from their native country, and scattered over the world, the Jews have elevated themselves, sheerly by dint of their own moral power and self-consciousness, to a position which compels wonder and admiration. It was the Jew that brought to the illiterate Christians of the West, in the Middle Ages, the lore of the Arabians, their mathematics, and their Aristotelian metaphysics; it was the Jew that dictated to them the terms on which to borrow money, and invented for them the system of banking; it was the Jew that thus gradually raised himself to the supreme power of the European world, the money-power, controlling even now the destinies of empires; and it is the Jew who has finally, in our day, subdued and made subject to one of his representatives, the Baron von Reuter, that same empire of Persia where his forefathers mourned as captives under the willow-trees, and wept by the rivers of Babylon.

CHAPTER III.

THE GREEK REPUBLICS.

In some way or another, that same element of a prerogative despotism which overthrew the Mosaic State has proved the destruction of every hitherto established form of government. And this of necessity. For, the object of a State organization being to apply laws equally to all citizens, the very conception of a prerogative is at war with the conception of such a State, and must necessarily destroy it and again be destroyed by it. Every political contradiction must die, by its very nature.

In the Judean republic, the most successful of ancient times, it was, as has been shown, the hierarchical element which destroyed the State. The Greek so-called republics are scarcely worthy of political examination. No people had less conception of State organization than that people, which from its own high individual culture needed it, indeed, least; but, it might also be said, needed it most, as a fitting frame and enclosure for the world of beauty which it produced. For, with a fitting government of law, this marvellously gifted people might have achieved results far more extensive than it did achieve, and saved mankind the centuries of retrogression consequent upon the downfall of all forms of government which followed the irruption of the Huns and Goths into Europe.

But the Greeks had an aversion to all fixed form of government, an aversion as great as that of the Indian tribes of our own country, whose political mode of living has indeed an extraordinary resemblance to that of the early Greeks; Agamemnon, for instance, having about all the power, and not a whit more, of an Indian chief. They could not bring themselves to acknowledge a general government of law, in the pride of their individuality, and consequently they perished.

Thus, as the Mosaic government, in its first grand results of raising a tribe of miserable slaves, ignorant, filthy, and lawless in the highest degree, to a condition of remarkable strength, intelligence, and political culture, shows the power, effectiveness, and necessity of a strictly defined State organization, established upon pure principles of reason, so the history of the Greek republics shows us, on

the other hand, the negative of all this, and how the most gifted of all the people of the earth perished necessarily because it disregarded the need of law.

The opposite of the Jews in all respects, the Greek people had formed itself out of all sorts of elements of humanity; contracting no fixed character, no fixed ties of tribe or nationality, but leaving everything free, youthful, and individual. Their ideal is represented in Achilles, the foremost knight of that age; and as in the knightly period of the Middle Ages the crusades formed the first great bond of union for these individual fighters, so the siege of Troy first combined the Hellenes into one people, but without any definite organization and law, each being his own law-giver. This disorganized condition lasted for a long time, and in it the first sign of prerogative showed itself as the cities of Greece rose by commerce and trade to importance and power. For a long time the acquisition of more territory by colonization checked the growth of despotism, as it has done and does now in our country; but the power of money and monopoly, which all trade and commerce, not regulated by wise and just laws, invariably produces, finally asserted itself, and then there arose tyrants in the cities. Moses had purposely prohibited commerce to his own people, and by that measure, as well as by his judicious laws of bankruptcy, made money-despotisms impossible in the State. Sparta was probably the only State in Greece which retained a republican form of government for any length of time, under the laws of Lycurgus, who tried to bring about the same result which Moses effected by his prohibition of commerce and his laws of bankruptcy, in introducing and establishing iron as the only allowable money, and prohibiting the sale of property. This virtually excluded the spirit of commerce from Sparta, and thereby checked the development of moneyed monopolies.

All the other cities of Greece changed from republican forms of government to despotisms alternately, the people heeding little their political combination, nor the laws which were to afford them protection, in which unconcern the establishment of slavery as well as the virtual absence of monogamic family life materially assisted. Art, beauty, culture, and individual independence in the enjoyment of these things, absorbed all the attention of the Greek citizen. It was not the law itself, but the tone of voice in which it was announced, the gesture which accompanied its enunciation, that deter-

mined its acceptance. A finer modulated tone and more expressive and beautiful gesture of another orator caused to-morrow its repeal.

Nevertheless, no sooner did the Persian ruler approach, with his terrific army of millions, to crush the world of individual freedom with the weight of Asiatic despotism, than all these reckless, free, gay, and brave young Greeks rushed together as one people, and slew the common enemy in the most momentous conflicts of history.

But the Persian wars, in their effects of increasing the wealth of the Grecian cities, particularly of Athens, by the immense contributions exacted from other places, only increased the evil of money-power and prerogative, making possible the success of so reckless a man as Alcibiades, and gave rise to the wars between the various parts of Gréece, whereby all of them finally became the prey of Philip of Macedon and his son Alexander, who gave them what they had never had: a fixed government and administration of law. But it was too late; and, like Judea, Greece fell into the hands of the most powerful of all State organizations of the Old World, the Roman republic.

CHAPTER IV.

THE ROMAN REPUBLIC.

If the Greek republics collapsed chiefly from want of any fixed State organization, and from the growth of money and monopoly prerogatives, the fall of the Roman republic shows in the most vivid and effective way how the strongest organization is doomed to suffer the same fate from the workings of the latter alone.

Under the old kings, a sort of theocratic-despotic form of government held the Roman people together with iron severity. Monogamic as the Hebrews under the code of Moses, it was the violation of the sanctity of matrimony which roused the Roman people, under the elder Brutus, to expel Tarquin, their last king, and establish a republican form of government, the aristocratic features of which — in that a class of patricians exercised all political power — soon gave way to the constant pressure exercised on it by the populace; until, after many conflicts, the common people succeeded in securing a system of writ-

ten laws to protect them in their rights and property, besides effecting many other political reforms in the organization of the State for their protection against the encroachments of patrician prerogative. The existence of slavery had been a powerful element in favor of the patricians during this whole period of struggle for equality of rights on the part of the people.

The establishment of these laws, — the twelve tables, — which have been the foundation of all succeeding legislation, and the adoption soon after of the Licinian laws, virtually did away with the last distinctions between patricians and plebeians, and inaugurated the happiest period of the Roman republic. It was then that, by an unhappily growing love of war and conquest, which extended the rule of the Roman people gradually over all Italy, Carthage, Greece, Macedon, Palestine, Spain, Gaul, etc., there arose a class of men who, by the acquisition of wealth and military power, laid the foundation for the downfall of the republic. The immense number of provinces subjected in course of time to the Romans made necessary the presence of many vast armies, under ambitious leaders, by the very nature of their profession unfriendly to republican principles, as also an equally dangerous body of tax-collectors, proconsuls, etc., who amassed fabulous sums by their oppressions and extortions, sending to Rome considerable sums of money, but putting the main part of the plunder into their own pockets.

The whole State organization thus began to fall under the control of a band of robbers, the most colossal in power that has ever held sway, and which maintained its power as the Tweed band did in New York, by dividing its plunder with the poor classes. Idleness and luxury followed this terrible system of spoliation. The wealthy robbers, the high officials in power, introduced every species of extravagance that could be found under the wide domain of the empire; the poor gathered around the market-places in idleness, to pick up their share of the distribution of these "revenues." In vain did Tiberius Gracchus, and Caius, his brother, oppose themselves to the most shameful of these money-monopolies; bribery and corruption had become so general that Jugurtha was able to buy up even the Roman Senate. Thirsting now for continuous war as a permanent source of plunder, the Roman people soon started wars among themselves, and civil discord thus became for their ambitious leaders the same step to advancement which foreign conflicts had been. The

massacres of Marius and Sylla in Rome made offices vacant for their respective friends, and filled their hands with money and vast possessions. The slave population, which had been constantly increased in number under this demoralizing state of things, attempted, under Spartacus, in vain to free itself; Crassus, one of the foremost of the official plunderers, after a terrible struggle, terribly suppressed it; while Pompey, another one, won his celebrated victory over the pirates; the ruling principle being that no minor thieves should be tolerated, lest the greater ones of Rome might not get all; until the greatest, but at the same time one of the most gifted and extraordinary of all men of history, Julius Cæsar, succeeded in placing the control of the whole empire, the most powerful of all historical empires, in his own hands, and virtually ended the Roman republic.

CHAPTER V.

THE FEUDAL GOVERNMENTS.

The Roman republic having crushed all other historical governments, and itself having been crushed by the rise of a military and money despotism vast enough to overpower even so powerful a fabric, the civilized people of Europe had all sunk into a condition of slavery under the Roman empire, from which they were aroused only when the wild hordes of Asia overran the empire and threw all Europe into a state of political and legal chaos. For, miserably as the Romans had contrived the political organization of their republic and empire, they had exhibited a genius for municipal law which has ever excited the admiration of the legal profession in all countries. Strange that a people so highly advanced in the science of jurisprudence should have understood so little of the science of political government! But with the invasion of Italy by the barbarian hordes, all that municipal law, so admirably collected and arranged by Justinian, was as completely swept out of sight as the Roman empire itself, and it was not till the twelfth century that it was rediscovered, since which time it has gradually again asserted its influence, more or less, upon the jurisprudence of modern Europe.

But meanwhile there grew up, from the fifth to the tenth centuries, in varying forms, over France, Germany, England, Aragon, and part of Italy, the Asiatic system of feudal rule and law, which still partly holds its own in England, though it has been recently abolished in Japan; a system that, whatever advantage it had over the centralized despotism of Rome, by disintegrating the one-man power of imperial rule, still retained the most essential features of despotism, in establishing hereditary prerogatives of a favored class, or aristocracies of birth, which the weakness of the kings under that system found it impossible to check. Noted warriors were endowed with benefices, or fiefs, or large tracts of land, which they endeavored, and generally successfully, to secure permanently to their families, while governors of provinces similarly contrived to make their power hereditary. Gradually these men assumed titles according to their several functions, and thus arose the numerous classes of dukes, counts, marquises, margraves, barons, etc., which figured so extensively in the Middle Ages, and laid the foundation of that aristocracy of birth whose members, sprung from the lowest hordes of savages, finally claimed to be God-chosen superiors of the more honest but poorer people, and thereby established the monarchical tyrannies in the various countries of Europe.

Compared with the threatened rule of absolute despotism, which Charlemagne's great successes had caused to be feared, the original establishment of the feudal system must be considered to have been a blessing to the European people. "Equally apart," says the great German historian, Friedrich von Raumer, "from the miserable servitude of oriental peoples, and from the cold obedience which many superficial minds consider only a necessary evil, and which they reluctantly pay to their government, we see in it a personal attachment and reverence of the vassal for his lord and king, strengthened by the power derived from actual possession." Montesquieu also, one of the most enlightened writers on law, pays a sincere tribute to the original feudal organization when he says: "I do not believe there has ever been established on the earth so well-tempered a government; and it is to be admired how the corruption of the government of a conquering people formed the best sort of government which men were able to imagine." Von Raumer, again, in comparing the three forms of government, uses this remarkable image: "An even plain and a solitary pillar erected upon it, is the symbol of many

unrestricted monarchies. All republics may be likened to a globe: each part of the animated surface seems equally important and worthy, and from seemingly opposite effects and counter-effects there yet arises one main tendency and movement. The symbol of feudality is a pyramid. From the base to the apex all parts are unchangeably united; down below the greatest number, and gradually decreasing, the king on the top. The pillar may fall down, or by military tyranny beat down the people; the globe may perchance roll beyond its assigned path, but nothing is more firmly grounded and in more safe equilibrium than the pyramid."

The history of the feudal age has itself curiously illustrated the image. Neither part of the pyramid was satisfied with its position. The top was powerless, and could communicate with the lower part, the people, only through the medium of the central part, or the nobles, and thus strove to remove that centre as much as possible, succeeding notably in France through the effort of Cardinal Richelieu and Louis XIV., when they broke the power of the nobles. The central part thought it useless to support the upper part, of which it stood in no need, and strove to remove it as much as possible, succeeding in England by making a mere figure-head of the king, and in Germany by establishing itself into numberless small principalities. The lower part, the most numerous of all, meanwhile groaned and suffered all the time, until finally, in the earthquake of the French Revolution, it lifted up and overthrew at one and the same time king and nobles, proclaiming to an astonished world the sovereignty of the base, — of the people.

Thus was doomed the pyramid; and the globe only remains as indeed the only stable and perfect figure for all government of man as for all nature, — the figure in which the suns and stars move in eternal order and progress through endless space.

It was the inequality which the various parts of the pyramid bore to each other that proved its ruin; the prerogative of the higher, the nobles, and of the highest, the king, that weighed down too heavily upon the common people at the base.

During all these times of transition from feudal forms to monarchical and aristocratic institutions, only one great effort was made to establish a code of law for any people. This was done by Frederick Hohenstauffen II., emperor of the Holy Roman Empire (died 1250), one of the wisest and greatest men of his time, whose code of legis-

lation, for boldness and originality of conception as well as for its comprehensiveness, has its counterpart only in the Institutes of Justinian and the Code of Napoleon. But, far ahead of his age, and in constant combat with both the hierarchical despotism that then had grown up in Rome and extended itself over all Europe, and the money despotism that had just risen to a power never before displayed, permanent results could not follow his exertions, and with the downfall of the Hohenstauffen dynasty, arbitrary rule again usurped the place of law and justice in Europe.

Every sentiment of freedom on the part of the people died out; here and there only a small community establishing itself under a republican form of government, chiefly in cities like those of Northern Italy, and later the free cities of the north; until the Cantons of Switzerland organized the first attempt of modern times to establish a rational federative republic. The Netherlands followed in the same direction, and in England also attempts have continually been made to establish its political State organization upon republican principles of government.

CHAPTER VI.

THE FRENCH REPUBLIC.

The first of the great nations of Europe that emerged from the dust and ruins of the feudal fabric was France. The most awful convulsion of history overthrew for a time every prerogative that had been established, — priestly, lordly, and kingly, — and reasserted the right of every citizen of the State to equality under the law. But in the violence of the revolution the movement overleaped itself, and by establishing the prerogative of Paris as the centralized ruler of France, created another despotism, whereby the promise of the beginning was killed off ere it was able to do more than fill Europe with a new feeling of freedom and exuberance, the like of which is not to be met with in all history, and which burns still, though under the ashes that were heaped upon it to suppress it.

The other despotism was that of the first Napoleonic empire, which, with all its military glory, its reorganization of society, its establish-

ment of internal improvements and development of the commercial, industrial, and agricultural interests of the nation, and even with its universal franchise, was nevertheless essentially a despotism.

Its greatest achievement in the way of social and political progress was the promulgation of the Code Napoleon, which, taken all in all, is the most perfect and comprehensive system of law provided by the mind of man, until the appearance of the six New York codes and the codes of California. There is no occasion in this work to trace the history of France throughout the vicissitudes that followed the downfall of the first empire, until its reëstablishment in the second empire, the overthrow of which, and succession by a new republic, are matters of contemporaneous history. Still, this may be said here, in proper connection with the general tendency of this work: that at no time of her history has France made such rapid strides of advancement in every department of human progress as during the present republican rule. All the gilded prosperity of the second empire, that faded away at one blow with the Sedan surrender, is as nothing when compared with the real prosperity of the France of to-day, dismembered as she is by the loss of two of her finest provinces, and still suffering from the life loss of thousands of her brave citizens and the money loss of twelve milliards of francs. Nor is it out of the way here to express my conviction that the present French republic, if it establishes my money system and keeps down monopolies, will be a permanent factor in politics, and that around it will centre all the achievements of republican freedom in Europe.

There is at the present time, and will probably be for many years to come, more wealth, prosperity, individual industry, frugality, and virtue in much-slandered France than in any other country of Europe.

CHAPTER VII.

THE SWISS REPUBLIC.

Of all countries in Europe, it is only in Switzerland that the attempt to establish a rational form of federative government has been thus far crowned with success; although the introduction of

the referendum — whereby the laws, after their enactment by the legislative council of the Swiss Confederation, are submitted to the approval of the people — has, of late, greatly shaken the confidence of statesmen in the perpetuity of its institutions. Besides, the Constitution of the Confederation is defective in not providing a sufficient bond of union between the Cantons; and they are mainly dependent upon foreign countries and bankers for their monetary means of intercommunication and commercial and business exchanges.

A most oppressive aristocracy of landed proprietors has also become established, which may eventually destroy the liberties of the people, by absorbing nearly all the political powers and official positions in the different Cantons. This predominance of a landed aristocracy, the keystone of the feudal system, gives great solidity to the Swiss Confederation; but the result is the same there as elsewhere: to impoverish the masses of the people, and eventually force them into the same helpless labor slavery that prevails in England, China, Russia, and other countries where the same sort of aristocracy prevails.

The most striking feature of the Swiss form of government, however, is the referendum system, to which I have already alluded. The question which it involves is, in short, this: Is it wise that the legislative body should have absolute power to pass laws, or should each law be submitted to a direct vote of the people, after having been passed by the legislature?

The arguments in favor of the system are chiefly these: The people are compelled to become acquainted with the laws of their country; no private law can be smuggled through a legislative body and become effective, unless the people at large agree to its justice; and in this respect it is the only real democratic form of government.

The main arguments against it are, that it is liable to abuse, and gives rise to a class of pure demagogues; that it is excessively cumbersome and expensive; and, finally, that it places ignorance on an improper footing of equality with education and intellect.

As yet the system must be considered merely an experiment; nor will its success show that it could be made applicable to so extensive a country as our own.

CHAPTER VIII.

THE BRITISH EMPIRE.

Though in the more northern monarchies of Europe — Denmark, Norway and Sweden — there is more real republican freedom than in Great Britain, still the British Empire lays claim to having the most purely popular form of government in all Europe. Now, it is very true that in Great Britain the representation of property, the integrity of the judiciary, and the universality of the laws for the encouragement of commerce and manufactures have certainly thus far produced commercial, trading, and manufacturing prosperity, but only at the fearful cost of enslaving labor and impoverishing the masses. Still, the landed aristocracy of Great Britain, created by the feudal system and holding the principal landed estates in the kingdom, has not been able to absorb the common liberties of the British subject to such an extent as to destroy them altogether, because the new sources of profitable employment opened up to the industrious middle classes in new colonies, the new powers applied to mechanics, and the new fields of wealth in gold, silver, commerce, banking, and exchanges, have raised many members of the poorer and middle classes to almost an equality in wealth with the richest peers of the realm.

On the other hand, while the Established Church has encountered too many opposing sects to become a very dangerous hierarchical element, save so far as it is united with the State, the royal charters, the money despotisms, the other powerful companies and monopolies existing in the British Empire, have always been held in check more or less by the hereditary aristocracy of the House of Lords, which overshadows and balances all other prerogatives. But the multitudinous complications of the British administration of public affairs, with its false systems of law, of government, of religious establishments, of education, and of the management of the colonies, cannot continue for any considerable period of time longer, and a revolution is now threatening which will in all probability result in the peaceable establishment of a republican federative government over the empire and all its colonies. This would at once place the new republic of Great Britain in the front rank with the most powerful nations of the

world, and relieve her people from the intolerable burdens of the feudal system, and all the aristocracies and monopolies that have followed in its train.

It has been well said that a revolution in Great Britain would not be a French revolution, accompanied by scenes of bloodshed, devastation, and carnage, but one moving in a quiet way for the creation of constitutional safeguards and just representative systems, to secure political equality under wise and harmonious codes, to be established by the people in solemn conventions.

It will be the best for all the subjects of that country to unite in this grand movement for the common good; for if the aristocracies of monopolies or of birth force on a conflict between the people and themselves, the issue cannot be doubtful, and the losses will fall necessarily upon the parties now in possession of all that is valuable in the kingdom, and their utter ruin will be inevitable. For men are but men everywhere, with similar gifts, endowments, and passions. The hungry English laborer and the hungry French laborer have the same cravings for bread, for freedom, for equal political rights, and will not hesitate to use the same means to satisfy that craving. In truth, history would rather teach us that the Englishman is quicker to assert his rights, and more determined in removing every obstacle in the way of their assertion, than the Frenchman. The Magna Charta was extorted from King John by the English barons while the kings of France were preparing for the subjection of their nobles, which Louis XIII. and Louis XIV. consummated. King Charles I. was beheaded long before the French followed the English example. But while the descendants of the Norman conquerors, who appropriated nearly all the best lands of England, are still in possession of their vast estates, in France the lands of the nobles were divided among the people in the great revolution of 1789; and it is not improbable that the people of England, if forced into a revolutionary conflict with the ruling aristocracies, will naturally employ the same revolutionary measures to have those vast estates divided among the descendants of the former owners, which the French people found themselves compelled to employ.

No society can long keep its equilibrium that has at the one end such colossal wealth as, for instance, that of the Marquis of Westminster, with his annual income of more than $2,000,000, and at the other end full a million of penal paupers, several millions more of all

kinds of laborers just on the verge of pauperism, and all of them suffering from impurity and ignorance; that hoards in the very centre of its civilization thousands upon thousands of men almost as fierce and lawless as the Goths and Huns that overran Europe under Attila, or the Tartars of Tamerlane, or the wretches of Faubourg St. Antoine, while it lavishes the money that should be spent at home, upon their physical and intellectual improvement, in Afghan, Crimean, Abyssinian, and Zulu wars, in enormous salaries of useless kings and queens, and extravagant subsidies and dowers expended with the same profusion on all their children and relatives; that, forced on the one hand to make franchise more and more universal in the House of Commons, still retains, on the other hand, the only hereditary chamber in Europe, the House of Peers, a titled plutocracy, holding its vast entailed estates free of all military or civil duties, enjoying all the benefits of the feudal system without performing any of its duties, and whose only purpose of existence seems to be to veto every reform proposed by the representatives of the people in the House of Commons.

But the worst stain on the escutcheon of Great Britain, and its greatest danger, lies in its treatment of Ireland, a vital part of its own immediate bodily organization. There has been for two and a half centuries, and there is now in Ireland an amount of suffering, changing into downright disloyalty to the British government, fully equal to the suffering and consequent disloyalty which put Louis XVI. on the guillotine. This suffering and discontent in Ireland is produced by substantially the same causes which heralded the French revolution, namely, the holding of lands in large bodies by a few individuals; but in Ireland the evil is aggravated by the fact, that even those few land-owners are non-residents, and spend the money derived from their leaseholds in all other countries except Ireland, whereas in Scotland and England most of those land-owners are residents, and spend their money at home. In Ireland, the ownership of the lands was originally in the people, and was alienated from them and vested in a few persons, by a most outrageous system of confiscation on the part of England, after the battle of the Boyne. In other words, the feudal system of land tenure, with its laws of entail and primogeniture, was *forced* upon Ireland long after it had become a settled affair in England by the conquest, and the Irish have never been disposed to submit to it. Besides, the development of industry

in England and Scotland, which in those countries has to a degree softened the tyranny of the feudal system, has never been extended to Ireland, and hence that tyranny has been there doubly felt.

Just let any American consider these facts: that there are in Ireland about twenty million acres of land, of which six and a half millions are owned by two hundred and ninety-two persons, nine million six hundred and twelve thousand acres by seven hundred and forty-four persons, and one million three hundred and ten thousand acres by twelve persons. That is to say, ten hundred and forty-eight persons own seventeen million four hundred and twenty-two acres out of the twenty million acres of land which constitute Ireland; and of these ten hundred and forty-eight persons, nearly all are non-residents.

For this unnatural state of affairs there is only one remedy, a remedy to be applied to England and Scotland as well as to Ireland, and that is to abolish the laws of primogeniture and of entails. By such a measure the number of landlords will be largely increased at each descent cast, until at length the lands will become the property of those who cultivate them. In this way would gradually be removed the domination of the British plutocracy, and the people be restored to power and the control of their own government. The immediate and natural remedy for Irishmen suffering those evils is to emigrate to North or South America, Australia, or to islands in the East or West Indies.

CHAPTER IX.

THE GERMAN EMPIRE.

With the downfall of the feudal inverted pyramid, there was for some time also hope that Germany would emerge from the rule of despotisms and rise to political freedom in the same degree as it had always successfully vindicated for itself intellectual liberty. The revolutionary movement of 1848 began brightly enough, and, indeed, was at one time on the eve of success; but that same deplorable lack of unity and that same local State pride which put so many hindrances in the way of establishing our own Union, defeated the

German when in its fullest glory. Since then the political history of Germany has been one of continual retrogression; so that now, through the natural results of the conflict between France and Germany, and the maintenance of a large standing army, it is enslaved, even worse than it has been for centuries, under imperial rule. The extinction of all local self-government under the supreme law of the Imperial code, and the terrible conscription system of the landwehr organization, multiplying taxes and servitudes, drives the despairing people by hundreds of thousands annually to seek refuge from tyranny by abandoning their native land.

It is one of the sarcasms of the spirit of history, that the victory of the Germans in the Franco-German war should have resulted in Germanizing France, as it were, and in Frenchifying Germany. With the close of that war France became one of the most industrious, frugal, economic, non-speculative nations of the continent; while Germany grew wild over speculative schemes of the most desperate character, grew extravagant, spendthrift, socialistic, and, above all, anti-American. France kept up her traditionary love for the United States; the second German Empire has treated us with contempt ever since its first erection, and impotently struggles to prevent her people from emigrating to our country to escape military, social, and aristocratic despotism.

France turned devout, and went on extraordinary pilgrimages; Germany dropped into skepticism of the worst kind, and published books in glorification of Strauss and others of the same ilk. The French Republic tried to keep on good terms with both the Catholic and the Protestant Churches; the German Empire scowled on all Churches. Strange to say, however, within the very latest times, under its republican form of government, — the best and freest that country has ever enjoyed, — France, while remaining devout, has boldly faced the danger of priestcraft interference with government affairs and predominance in the State, therein following the example of Italy under the inspiration of Garibaldi; and Germany, while remaining indifferent to religion, has made efforts to renew the broken-off connection between Church and State. That this second German Empire will remain for a time a fixed factor of European politics admits of scarcely a doubt, but it is equally certain that the whole form of its government will have to undergo a change. No

government that keeps a whole nation continually under arms, and expends yearly over one-third of its revenues for purely military purposes and warlike preparations, can maintain itself. The people will become exhausted by such hard riding, and will throw their riders.

CHAPTER X.

THE RUSSIAN EMPIRE.

While the German Empire pretends to be, and in some measure is a compromise between a popular and a despotic form of government, — leaning more towards the latter, however, — the Russian Empire presents the curious contrast of an unequivocally declared despotic form of government, and an equally unmistakenly outspoken opposition to all other forms of government in its social organization. That part of the Russian population which still submits blindly to the dictation of the emperor, calls him "Father;" the other part uses all sorts of means to send him, by dynamite or shot or shell, into another world, and are very properly termed Nihilists. In a subsequent chapter, on "Capital and Labor," I shall more at length discuss this anomaly; here it is sufficient to simply point it out.

The Russian Empire is the great bugaboo of European civilization; it is at once the firmest colossus erected since the days of the Roman Empire, and yet the weakest, for the slightest shake may occasion its overthrow. It threatens not only Western Europe to the borders of the Rhine, but equally China to the coasts of the Pacific.

With an area of 8,270,759 square miles, Russia has a population of some 90,000,000 souls. From these 90,000,000, representing an average of 13,000,000 of male adults, Russia takes an army of 800,000 men; withdrawing thus these 800,000 from the revenue-producing population of the 13,000,000, and making them, moreover, a permanent burden on the remaining 12,200,000 men. This is the general effect of the military system of Europe.

Russia withdraws 800,000 of her best men from agricultural, in-

dustrial, and commercial pursuits; Germany withdraws in the same manner some 500,000 men, France nearly the same number, Italy some 690,000. In short, the armies maintained by all the governments in Europe, *on a peace footing*, — ostensibly to defend each nation against some supposed aggressive neighbor, but in fact to keep their subjects in slavery by military power, — number nearly four million men, as follows, using round numbers: —

Russia	800,000 men.
Turkey	200,000 "
Germany (exclusive of all reserves, to about the same number)	500,000 "
France (exclusive of all reserves, to about the same number)	500,000 "
Italy	690,000 "
Austria-Hungary	350,000 "
Denmark	40,000 "
Great Britain (exclusive of some 240,000 militia and volunteers)	150,000 "
Greece	30,000 "
The Netherlands	65,000 "
Portugal	35,000 "
Spain	100,000 "
Sweden and Norway	170,000 "
Switzerland (exclusive of the landwehr, which count some 92,000)	120,000 "
Making a total of	3,750,000 men.

And these are the most able-bodied men to be found in their respective countries, and are taken away from their proper pursuits in life and thrown as a burden upon the tax-paying citizens, — nay, not only a burden, but a constant threat and danger, for these armed soldiers lose all sense of a common fellowship with their fellow-citizens, and are ready at any moment to shoot them down like dogs. The financial burden which this system of standing armies imposes upon the people I shall discuss more at length in a subsequent article, on "Capital and Labor."

In many respects the United States and Russia present points of resemblance. We also have an absolute despot, but that despot is the law-making power. We have also individualistic tendencies of every description, but — excepting the late upgrowth of corporations threatening our liberties — our people still practically have liberty under the law. But in one essential respect we are (and let us hope that we ever may remain so) utterly dissimilar to Russia, and this is,

that we do not maintain a standing army of soldiers, — although our potiticians compose an army more expensive than our few thousand enlisted men, who constitute merely a nominal army, and even as such are always subordinate to the civil power.

CHAPTER XI.

THE IRREPRESSIBLE CONFLICT IN EUROPE.

From all the foregoing, it must appear clearly to every attentive reader that the continent of Europe is apparently on the eve of a world-historical conflict. It is hardly possible that the various nations named above can keep up their present armies; and not only that, but also endeavor to outrival each other in the building of shot-proof navies, and the construction of fortifications, large and small arms, munitions of war and equipments, at an immense and mostly useless expenditure, without provoking war and bloodshed, and entering upon the conflict for which they are so well prepared.

And what is all this contest about? It sounds ridiculous, but in truth the prime cause of this general military *status* of Europe lies in Turkey, at present a comparatively insignificant part of the European continent, with a population in Europe of only nineteen millions, but with a magnificent debt to capitalists in Europe of some $800,000,000, to pay which she exhibits an annual *deficit* of $45,000,000.

This explains clearer than anything else the extraordinary interest the British Empire takes in the maintenance of Turkish rule in Europe; for no man of sense will, in these days of railroad communication, pretend to reëcho Napoleon's saying, that Constantinople is the key to the world. The Suez Canal of itself, not to speak of other systems of communication, broke down that Napoleonic view of the value of the golden horn of the Bosphorus.

What Great Britain wants is the $800,000,000 advanced to Turkey by the confiding British capitalists, through the agency of the Rothschilds and others. Now these $800,000,000, Turkey, with its annual deficit, is of course unable to pay. Russia? Well, Russia has not

good credit in the money market either; and it is, moreover, on purely strategical grounds, inadvisable to allow her free and full possession of what remains of Turkey in Europe, since such possession would be a constant danger to all of Western Europe, and seriously threaten the British possessions in India, as well as the Chinese Empire.

Hence there is only one great power left in Europe which can accomplish the combined purpose of properly swallowing Turkey in Europe and paying a part of Turkey's debt to the capitalists of Great Britain, and this power is the double-headed monarchy of Austria-Hungary, at present under the protection of the new German Empire. Now, as Russia wants Turkey badly, and as Austria-Hungary has been made to realize, ever since the days of Sadowa, that she must ultimately give up the German part of her dominions to the German Empire, and look for territorial compensation in an eastwardly direction, — that is, towards that same Turkey which Russia has been watching, with prey-lusty eye, ever since the days of Peter the Great, — it is very clear that, sooner or later, the final struggle for the possession of Turkey in Europe will result in a conflict between Austria-Hungary and Russia, in which the German Empire will, of necessity, side with the former power, and take its German territory in payment for its services; and the British Empire will lend its aid also to the same power, on condition that the new possessor of Turkey in Europe assume also a proportionate share of the Turkish indebtedness. The Russian power in Europe will be broken and crippled in this contest.

Into this mighty struggle, which is daily drawing nearer, nearly all of those four million of European soldiers will in all probability be drawn, and every nation engaged in it will be required to tax its financial strength to the utmost. The human mind shudders in contemplation of the infinite misery and suffering which this conflict is doomed to bring over a whole continent; and the only gleam of light shining through the darkness is the possibility that the shock may be so terrible, both in its military and financial aspects, as to compel, early in the struggle, a general disarmament, and thus force the era of war to come to an end by its own hand, as it were. It would be a new illustration of the dialectic movement which pervades all finite things and phenomena. Allow anything to run to its extreme limit, and it will turn into its very opposite. When life has reached its

highest development, it begins to change into death; and from death springs up new life. And thus a time must come when war will have attained such fearful and destructive power that it must give way to a blessed era of peace, and the settlement of national controversies by an international court.

CHAPTER XII.

THE UNITED STATES.

In the political organization of our own country, the most prominent and singular feature that presents itself is the fact, that our political constitution, our form of government, was an absolute creation of reason. It was not pieced together out of an hereditary, accumulated set of laws or rules of political administration; it is not the lawless growth of ages, but a rationally considered and determined form of government, made to fit a certain contingency. The code of Moses is, in this respect, the only one that has a similar origin. The legislation of the Hebrews did not arise gradually out of circumstances, like that of other nations, but was fixed complete at once, to suit the miserable, degraded condition into which they had fallen as slaves in Egypt. The government established in Paraguay by the Jesuits, and maintained from about 1700 to 1775, when it was shamefully broken up by Spain and Portugal, — upon the abrogation of the order by Clement XIV., — may, however, also be classified with these *à priori* constructed forms of government; and in some measure, also, the Inca government of ancient Peru. Both of these political structures will be treated more at length in another chapter, in the Second Part of this book.

Philosophers of great repute have denied the possibility of such an origin for a political constitution. Looking merely at the utterly irrational organization of the European monarchies, — the whole structure of which has reference only to the supreme welfare and monopoly of the ruling family, — and accepting these sad memorials of human cowardice and ignorance as glorious monuments of human power and wisdom, they have denied the possibility of any other origin of political organization, and laughed to scorn the attempt of

the French revolutionists to erect a political fabric on principles of reason.

And yet here stands history, with the purely rationally conceived government of Moses, of singular power and duration, if its small territorial dimensions are taken into consideration, and the United States, with nearly a century of history, more marvellous in its splendor and progress, despite all drawbacks, than the history of any other political organization in the world. Nor does history furnish an instance of a form of government under which the governed lived more contentedly than under the government of primitive Peru, or that of the Jesuits in Paraguay.

It is to be held one of the greatest blessings, that the founders of our republic were thus enabled, under the peculiar exigencies of the case, to erect a new government of a federative republic altogether on principles of reason; and the only thing to be regretted is, that they did not carry out this principle in full, by making rational organizations for the several separate States, by abolishing all laws for the perpetuation of slavery, by fixing the laws of money and commerce independently of traditional notions, and by establishing a complete code of laws, — even as Napoleon established his code for France, — without the phantom of an unknown common law, which it is absurd to presume that the people should be able to follow, since the most distinguished judges of the different courts, State and Federal, have been and still are continually announcing contradictory decisions upon the same questions of law and equity, which are commonly known in law as vexed questions.

So far, therefore, as those great men followed purely the dictates of reason, their labors have been successful beyond precedent. So far as they followed the vagaries of tradition, on the other hand, they left the door open to the growth of moneyed monopolies and other forms of despotism, that are showing their corrupting influence more and more every day, as well in class legislation as in the growth of ignorance and physical disease, and to root out which this book has been written. It is easy to see how it chanced that they thus neglected to carry out the supreme rule of their political conduct in the details of law administration. Our form of government being a double one, the more extensive Federal form naturally attracted their chief attention, and the separate State organizations, with their exclusive management of "domestic affairs," engaged but to a local and

limited extent the consideration of statesmen; and the anomaly of uniting these States under a purely rational form of government, while allowing them to retain most of their historical and traditional legislation, escaped notice. These traditional features, it must be remembered, had been engrafted upon the several States that entered the Union while they were under monarchical rule, and thus their legislation partook — in some States more and in some less — of the English feudal character. They became members of the Union with these feudal features and these English monarchical laws, with the barbarism of an unknown common law, of colonial slavery, and other elements of prerogative power, judicial despotism, and money-monopoly worship, that still taint their political systems, and which they in their turn engrafted more or less upon the new States that organized subsequently under the Union. All these feudal chains were incompatible with the idea of the new republic. It is amazing that this should have excited no attention or discussion, and that the people should have voluntarily saddled themselves with that huge body of legal despotism, the common law of England, of the true nature of which they were necessarily utterly ignorant. And yet, they continued to put these shackles on their own young limbs, as one after another new States, with their constitutions, laws, municipal charters and ordinances, county and township regulations, organized themselves upon the old colonial foundations instead of the foundations of their own new federative republic.

Hence have naturally arisen constant conflicts and collisions between municipal and State laws, colonial laws and new State constitutions, State laws and Federal laws, and Federal laws and the United States Constitution; conflicts that have been a permanent source of uncertainty to the citizens as to the nature and extent of their rights, and to their local officials as to the extent of the powers conferred upon them. Hence all kinds of usurpations and monopolies have grown up, as a natural result of the want of proper checks and balances and well-adjusted State constitutions.

The Federal and State constitutions do not contain any practical limitations to the sovereign power of Congress and the State legislatures as law-makers. Within fifty years past, the public lands and the public moneys of the people have been given away by their servants, the law-makers, to railways, banking, navigation, and other

corporate despotisms that now control all branches of our government.

It is evident that unless our form of government is to result in a failure, this state of things must be remedied by the amendment of our State and Federal constitutions. We must invent and determine for our separate State organizations, organic laws that shall not interfere with the general form of our government, and yet meet all the demands of a well-regulated State; that shall not merely afford security to persons and to property against direct violence and fraud, but protect men also from illegal monopolies, from legislative usurpations, from fraud, impurity, and ignorance; that shall not merely in negative apathy permit the individual reformers and laborers in the fields of science and knowledge to prosecute their investigations, experiments, and researches, but shall extend to them proper aid, whereby all their labors may be joined in one common effort for the advancement of mankind, under a true and proper form of representative government. The unexpectedly rapid development of our States and the sudden growth of cities press with resistless force for the establishment of such a perfected system of State governments adapted to their own support. This is what the labor organizations mean when they clamor for changes which shall secure to them healthier dwelling-places and more time for self-culture; this is what outraged communities mean when they protest against the corrupt monopolies of the age, and the overshadowing despotism of railroad, banking, and telegraphic corporations that have neither local nor political connection with them, and yet place themselves beyond all regulations of order, safety, and economy from the communities to which their roads or their other monopolies have become a necessity; and herein also lies the solution of the dangers threatened by the increase of the ignorant classes, which always accompanies the increase of monopolies and aristocracies.

At the same time we must amend our Federal organization in such a way that it shall at once allow the separate States to make these additional laws, and itself assist in enforcing them. Thus, it is necessary for a true system of federative government to protect all citizens in their common rights of intercommunication by land, seas, oceans, rivers, and all highways. The railways, roadways, telegraphic lines, and all other channels of intercommunication and commerce

must be, in a federative republic, under the direction and control of the federative and State governments. The framers of our present Constitution knew this well enough, but the clause which they put into it to carry this out was so vague and general, that it has remained without any practical effect. The people, who are the true source of all political and other power in a republic, control the State; and if the State controls the intercommunication between its citizens, the great franchises of free trade and commerce and of national money-making for national circulation will be preserved to the people, and not granted away to usurping monopolies, which thereby acquire by legislative grants the power to tax the people without their consent, in direct violation of the Federal Constitution.

I purpose now to trace out the fundamental principles and chief requirements of these, our State organic laws, to show the necessity of a radical change, and detail the duties of a political Commonwealth in making provision for the utmost development of the physical, intellectual, and moral faculties of its citizens; all the time, however, observing the limits within which such provisions may be made without trenching upon the rights of the individual, for whose benefit alone each State and our Federation was organized. It is in this latter point that my work will find its relation to the commentaries of our great constitutional expounders, as well as its distinction from the arbitrary dogmas of writers like Plato, Rousseau, Voltaire, and others, who may have had invention enough to propound gilded theories of an ethical government, but lacked legal training to determine its limits by the universal conception of law as applied to the government of a State designed to belong to a federation of several States.

In part, even our present forms of State legislation transcend the limited sphere of mere direct protection against violence and fraud. Nor can it well be otherwise so soon as people come in close contact with each other. So long as men live at considerable distances from each other, on tracts of land large enough to prevent the immediate perception of injurious influences upon each other, — by improper construction of their dwellings, for instance, or uncleanliness and disease of their bodies, — and so long as commerce and money have not yet collected into great centres, and thus established despotic monopolies, legislation for protection against such injurious influences and monopolies will not even be thought of. Such was the general con-

dition of the people of the United States in former times; and when, gradually, larger cities began to grow up, and railways, banks, and commerce to assume gigantic proportions, it did not at first occur to their inhabitants that another class of laws had become necessary, than the class which had been sufficient to secure life, liberty, and property from direct assault and tyrannic oppression. It was only constant and continued experience, pressing for the inauguration of measures that were found necessary, which dictated a legislation that was rather merely submitted to than accepted from a comprehension of its necessity and justice. In this way municipal ordinances regulating the building of houses, the behavior of persons, the power of corporations, and a thousand other matters that had been considered the exclusive concern of individual notion and inclination, were tacitly acquiesced in, and taxes for sanitary, reformatory, and other purposes paid without very earnest opposition. Nevertheless, the doubt of their legality always remained; nor was the general principle of these measures ever laid down and determined. It seems strange, indeed, and yet it is none the less true, that there really was not and is not any difference in the general principle of legality underlying these measures, and that the only doubt and difficulty respecting them arose and arises from the consideration of the necessary space to be allowed for the inhabitants of cities and villages. It is the distance, the extent of space between one farm and another, which in their cases renders it difficult to perceive that there is an actual injury done by one man to another, an infringement perpetrated upon the individual's right to life, liberty, and property. We can see easily the direct connection between the injury and the deed when one man kills or assaults another in the street, but it is rather a difficult matter to trace injurious effects to the neighbor who builds a vitriol or a gas factory near my house, or builds an adjoining dwelling with insufficient drainage, etc.; and nevertheless the encroachment upon my life, or it may be upon my property, is the same in either case.

Should such amendments to the organic laws of the States of the Federation as I purpose here to sketch, be adopted, results would follow surpassing even the dreams our most sanguine political patriots have dared to indulge in. A body of men and women would be raised, healthy, and intellectually cultivated to a degree which would make them as nearly as possible inaccessible to physical and

moral evils, fit exponents and representatives of the idea that gave life to them.

The world of nature it would change and turn into a grand landscape-garden, æsthetically representative of the world of mind and freedom under equal laws, the fit habitation of such noble beings as men can become, a true kingdom of God on earth, every element of nature subject to the free and harmonious directing powers of the human mind. Far from disfiguring or making ungainly the aspect of nature, as they do now, men's habitations — the cities, houses, streets, alleys, boulevards, etc. — would fall into harmony with their natural sites, and by architectural beauty, order, and cleanliness, irradiate loveliness in every direction.

It would make all men equal, under just laws, by regulating their intercommunication through money and commerce in a rational manner, by raising up the lowest to the highest degree of culture, and securing to each individual, through an organized system of labor, sufficient leisure to acquire the greatest freedom and knowledge. The existing rivalry between rich and poor would thus cease of itself, and find its amelioration, if not its annihilation, in a common coöperative effort to realize the highest good and happiness for each one and for all.

In its ultimate results it would dispel from the minds of men every element of darkness and superstition. For in the highest school of the State, the university, the highest science, the philosophy of knowledge, would be taught, and would illuminate every region of human knowledge by analyzing that knowledge itself. The foolish fear of an angry God would change into adoration of His love and wisdom, and the superstitious dread of the future world into serene and happy assuredness of immortal, infinitely continuing revelations of new beauty. Men would no longer harass their minds and souls with idle speculation, but would work out their true mission: to attain and enjoy the greatest good, happiness, and wisdom. For, to enable men to do this should be the exclusive final end and aim of a government of law.

Even as the grand aim of the divine government of the universe is manifestly by wise, harmonious, and progressive laws of development to work out to the fullest perfection all forms, faculties, and intelligences of the creatures on earth, so a human government of law should resemble as nearly as may be this divine government of

nature, and should, therefore, in its organic constitutional code, provide for the attainment of the greatest good, happiness, and wisdom by the people of the State; and as the permanence and certainty of the laws of nature are necessary for the preservation of the divine order of nature and the lives of all the creatures existing in it, so the certainty and permanence of the organic laws of a State are necessary for the preservation of human order or true freedom under the law, so that all persons in the State may attain and enjoy the greatest good and happiness of which their organization and faculties are capable, without in any way interfering with the proper freedom, activity, and happiness of others.

GENERAL PRINCIPLES OF A FEDERATIVE GOVERNMENT.

CHAPTER I.

FUNDAMENTAL PRINCIPLES.

The fundamental principle of such a constitutional code is: —

Affirmatively: To provide for the harmonious, temperate, fit, and best use attainable of all the faculties of mind and body of each person, so that each one may have, under the law, the possibility of attaining, without any of the hindrances of ignorance, impurity, fraud, or tyranny, the greatest good, happiness, inspiration, wisdom, beauty, love, and perfection of which his faculties and organization are capable: first, for himself; second, for his family; and, third, for the society or State in which he lives.

Negatively: To prohibit each person from intemperate, inharmonious, reckless, hurtful, or unfit abuse or use of either or any of the faculties of his mind and body.

These two propositions will indicate and test the true objects of all codes, constitutions, and laws, and the true character of all legislative, judicial, and executive governmental operations for the government of men under State and federative systems of government.

CHAPTER II.

ANALYSIS OF FUNDAMENTAL PRINCIPLES.

The essence of man is freedom. It is this that distinguishes him from all other beings, and makes it impossible to mistake him for a

mere animal. All other beings are complete in bodily organization; man alone is incomplete. All other bodies are sufficient and perfectly determined in their structure; but the body of man is insufficient, and simply infinitely determinable. What he is at birth we know not; what he is to be, will be wrought out in him by his own freedom and activity, under just and comprehensive laws.

It is by token of this freedom, when manifested in the world of nature, that man proclaims his presence over the gulf of many thousand years, and in the rudest tools or arms of prehistoric times announces his existence. History is nothing but a record of man's strife for the attainment of this freedom in its highest degree externally through forms of government; culture, nothing but an endeavor to realize it internally. And since neither development can be realized separately, the establishment of a State organization, which shall enable man to secure the fullest freedom of mind, of person, and of activity, must necessarily accompany and be accompanied by higher culture and progress. It is only in a properly constructed State organization that men can attain that complete self-determination, that development and subjection to his free control of all the faculties of his mind and body, whereby he will be enabled to use them fitly and harmoniously, under judicious and wise laws, for the realization of the greatest good and happiness life is to give and express, and to constitute himself a truly rational being.

No one individual in a State can be secure in his freedom under the laws, unless every other individual is prohibited from interfering with it. Had each individual attained full development of his moral nature and freedom, this prohibitory character of law would be unnecessary, for the free wills of all would of themselves harmonize in the idea of the greatest good. But as this full development does not exist, and is rather the very object to be realized, the inharmonious and unfit use of the mental and bodily faculties of the one individual constantly interferes with the freedom and progress of the others, and thus needs the prohibition of its inharmonious exercise. Men, in establishing governments of law, must adopt the plan manifested in those laws that are established upon fixed principles, of universal application, and announce themselves in unvarying succession.

Upon the foregoing fundamental principles, affirmative and negative, all laws and governments of law are grounded; through them alone the achievement of an ultimate ethical and legal organization

within the State is made possible. Another six thousand years might pass away, and bring mankind but little nearer to its ideal, unless these principles were carried out in a State organization and eventually established over the whole extent of a federative republic. Great moral and intellectual advancement of the race is but a dream, so long as there are ignorant and wicked wretches on all sides in a State to check and injure the development of higher culture. So long as filth, folly, and impropriety everywhere offend the purer, wiser, and more cultured persons, there can be but limited and obstructed advancement; and legislation has hitherto looked upon these matters as if it had no concern with them at all. Thus the highest of all arts and the grandest of all sciences, the art and science of statesmanship, in the noblest sense of the word, — the art and science of organizing men into a complete harmonious union and activity, wherein each one shall have all his faculties developed to their highest practical possibility, and wherein all shall artistically and scientifically combine to make their common property, the earth, a beautiful and harmoniously cultivated whole, a paradise, not of primitive nature and idleness, but of cultivated reason, scientific knowledge, and joyful labor, — has hitherto not even been possible, for want of State organizations wherein to establish and apply it.

In no other way than by means of such a State and federative organization can the citizens achieve their true destination as freemen, worthy to enjoy "Liberty and Law" under federative government. In no other way can the gigantic conflict between men and nature be successfully carried on to victory, their forces and knowledge being severally cultivated to their highest perfection, and assigned to specific parts of an organized plan.

It is only by means of a practical code of self-supporting laws, providing for the purity, health, training, education, protection, political equality, and happiness of each citizen, and regulating under general laws all intercommunication between all persons, that the people can be fully protected from the selfishness, tyranny, extortion, and ambition of the many monopolizing, fraudulent, and corrupt corporations, always vigilantly watching every opportunity to rob the masses of their rights, franchises, and liberties for the benefit of the few, who rapaciously swallow up the resources of the States and the nation, by using the government itself as the chief instrument of their tyranny, by bribing and corrupting the traitorous

agents of the people — the State and Federal legislatures — to grant to their monopolies the public lands, the public charters, the common public rights of intercommunication, of banking, of telegraphing, and of using the public highways and the public domain with electro-magnetic telegraphs and steam railways.

The individual alone may, to some extent, realize his destination and ideal in his own internal culture; but as a member of humanity, and citizen of a State, he cannot achieve even this, his own end, perfectly, unless he assists in achieving the destination of his kind by coöperation and united effort, under wise and just laws, and in keeping down all forms of despotism in his State. The subjugation of nature and all her turbulent elements is a task utterly beyond the power of individuals, and until their subjugation is completed no individual can rise to his own highest development.

To attain these ends, the constitutional codes will have to apply the above fundamental principles to the three functions of man: as, first, a physical body in the world of nature; second, an intelligent being in the world of intelligence; and, third, a social being in the world of the State; and hence it will have to legislate in its positive character concerning —

1. Public hygiene.
2. Public education.
3. Public intercommunication.

And in its negative character concerning the —

1. Establishment of a Federal code.
2. Establishment of a code of laws for the States.
3. Establishment of a federative and international code, to secure Liberty and Law, against all the powers of despotism, to all the nations of the world.

For reasons which will appear in the course of this investigation, I shall consider, first, the negative requirements of such constitutional codes, and after that, proceed to the more lengthy consideration of its positive requirements.

CHAPTER III.

THEIR REALIZATION IN A FEDERATIVE REPUBLIC.

It is very evident, from all the preceding, that great and many reforms must be instituted in the present form of our federative government, if such a scheme as I have suggested is to be realized. There must be changes made in the form of the Federal government itself, and in the forms of the government of the several separate States. But there is only one mode in which such changes can be constitutionally inaugurated. This mode is the amendment of our present National Constitution, and, secondarily, of most of our State constitutions.

Now, it is true, that such amendments may be made in the case of our Federal Constitution simply by getting Congress to formulate them and submit them to the States for their indorsement. But I am very sure that such a method would be altogether impracticable for the establishment of such thorough, and yet necessary changes in our form of government as are outlined in this book.

I propose, therefore, that a National Constitutional Convention be called by the people of the several States, to remodel our present Federal Constitution in accordance with the requirements that have grown up within the last century.

I am well aware that there is a general objection to what is called "tinkering" with the Constitution handed down to us by the wise founders of our republic, — an objection founded on the conservative, let-well-alone disposition of human nature, — but the most intensely conservative man, if he is otherwise fair-minded, cannot but confess, that a century of a nation's life — and especially such a century as our nation has lived — must needs make necessary vast changes in all the departments of its government. Nor can it be disputed, that of the two modes of amending our Constitution, that by a general national convention alone can be effective.

Our Congress, let it be remembered, is not a body like the British Parliament, which has the power, substantially, of changing the unwritten Constitution of Great Britain at any time. The fact that we have a written, permanent Constitution, places the power of amending it in the hands of the people alone, and is its greatest safeguard.

Nor can I perceive any great danger in calling a National Convention. That cry seems to be raised mainly by politicians, monopolists, and corporations, who fatten under the present order, or rather disorder, of things, and dread any change. It is, however, precisely to check their power that such changes as are suggested in this work have become indispensable.

CHAPTER IV.

THE REQUIREMENTS OF A FEDERATIVE REPUBLIC.

It has usually been held, since the days of Montesquieu, that the only requirements of a federative republic are a proper regulation between the general government and the several States which compose the federation, and the division of the power of the general government into three departments, — the executive, the legislative, and the judicial.

Now, I hold that this is not by any means sufficient. The first proposition — namely, that the relation between the general government and the separate State organizations composing it must be clearly enunciated in a written constitution — is, of course, incontrovertible.

But much may be said about the propriety of leaving the *organization* of the three departments into which the government is to be divided, open to chance or mere caprice. Take, as an instance, the legislative department, — our Congress of the United States. Now, the Federal Constitution was the work of only thirteen States. At present, however, those thirteen States have expanded into thirty-eight States and ten Territories, if we include Alaska; and more States are to come from these Territories. To remedy this defect, I propose to divide our one Union into, say, five sub-Unions. This suggestion may seem audacious in the extreme to many of my readers, but on mature reflection the necessity of this proposed change in our present Union will become apparent enough.

We all are striving towards the same end, — a world-confederation. How attain it? The miniature model was built up by

the fathers of this republic. The foundation was: a number of States organized into one Federal Union. But the thirteen States which went to make up the original miniature model have since expanded into thirty-eight States and ten Territories. Now, how shall we preserve the federative principle, which is the basis of our republic, and at the same time keep this colossus of States manageable? I see no other practical mode than that just suggested, of a division of the one Union of the United States into, say, five sub-Unions, with a common congress, judiciary, and executive for each. Having achieved this problem, we can readily, in the course of time, organize all the States of North and South America into similar Unions, with locally independent congresses, judiciaries, and executives, and unite them with ours into one government, — *an American government.*

In course of time again, the same phenomenon will exhibit itself in the other continents of the world, and realize the same end. Then, and only then, can we say that the prophecy of Christ, which Tennyson has so aptly worldlified, has been fulfilled, and that, in spite of scoffers, there has arisen into life a "Confederation of the World."

Now, the radical changes I suggest in the departments of our federative government are somewhat as follows: —

I. The organization of the executive power should be remodelled so as to do away with those four-yearly presidential elections, that keep perennially alive political partisan excitement. If the Union as it exists at present is subdivided into, say, five sub-Unions, each one electing its own president, congress, and judiciary, then those five presidents would choose, at every congressional session, a president for the whole Union out of their number, and those four-yearly excitements would disappear. Then, next, the executive power should be so curtailed as to make elective as many as possible of the offices now filled by appointment. I may instance the offices of postmasters and revenue-collectors. In this way the executive would become again what the founders of the Constitution intended him to be: the chief executive of the law-making power of Congress; whereas under the present state of things he is simply a figure-head, so far as the welfare of the people is concerned, and useful only as the head of his party, whose leaders he can reward by the gift of Federal offices.

II. The organization of the legislative power should be remodelled so as to change an elected member of Congress, from being a mere re-

ceiver of bribes, into an active political representative of his constituents. This also can be most readily effected by a division of the whole Union into, say, five sub-Unions, each of which will have a separate congress. The members of these five congresses, when meeting together, would constitute the great Congress of the whole United States. As a matter of course, it is of importance that this Congress, while representing every local section of the country, should also be as small in numbers as practicable. In regard to the lower house this is easily enough attainable. But a greater difficulty arises when we approach the Senate. No country on the earth ever had such a Senate as that called into being by the Constitution of the United States. Two senators from each State, no matter how geographically large or populously filled that State may be! Little Rhode Island on a par with gigantic Texas; populous New York on an equality with Nebraska! Now, this whole anomaly would be swept away at once by the subdivision of the Union into the five Unions proposed by me; for then each of the five sub-Unions might choose by general election a specified number of senators, without regard to the number of States represented, or to geographical extent.

III. The reconstruction of the whole judiciary system of the United States.

The Supreme Court of the United States, being at present no longer able to transact the business devolving upon it under the Federal Constitution and laws, a portion of the original and appellate jurisdiction of this court should be vested in another court.

Hence the new Constitution should, above all, provide for what I may call an *Interstate National Court*, to remove all jurisdiction from the present Supreme Court of the United States over Federal constitutional questions, controversies between States, and between citizens of the United States and any State, or the Federal government, and all questions of conflict between State and Federal constitutions. This jurisdiction should be appellate only, except in controversies between States, and on writs of *mandamus*, *quo warranto*, prohibition, etc., in which the jurisdiction should be original.

This new Interstate National Court might be composed of twenty-five judges, five to be taken from each of the sub-Unions of the United States.

The present Supreme Court of the United States, instead of nine

justices, ought to have at least twenty-one, the senior justice being chief justice.

The circuit judges should also be increased to the number of at least twenty-one, and the circuits should be increased to the same number. Each one of the Supreme Court justices should hold court with his circuit judge and the District Court judges for two months in each year.

Four supreme justices and four circuit judges should hold an intermediate appellate court for two months at the capital of each one of the five sub-Unions of the United States, to hear and determine all appeals, *quo warranto*, *certiorari*, *mandamus*, etc., with appeals in certain cases to the Supreme Court of the United States, or to the Interstate National Court, as the case may be.

The Supreme Court should hold its sessions for six months in each year at the Federal capital city, as an appellate tribunal; and there should be five chambers, for different members of the court to hold five courts for the more speedy hearing and decision of cases. The justices might be allotted to different court-rooms, thus: Room number one, with three justices for hearing cases in admiralty; room number two, with five justices for hearing cases in equity; room number three, with three justices for hearing cases of revenue, pre-emption, and mining claims; room number four, with three justices for hearing patent-right and copyright cases; room number five, with seven justices for hearing all other cases not hereinbefore allotted to the other rooms. All cases decided in these several rooms might be certified to the twenty-one justices sitting *in banc*, on demand of either party.

At the request of one-third of the justices in either one of said five rooms, any case therein decided might be referred to the whole court of twenty-one justices, sitting *in banc*, for a more full examination and final decision, subject to a writ of error to the Interstate National Court in all cases where said court has appellate jurisdiction.

The details of this plan can be easily framed, and the jurisdictions will embrace all persons in the republic who are aliens or citizens of the States. Each State, as well as the Federal government, should be subject to an action at the suit of any citizen, or alien, or corporation, or State, for any just claim or cause of action whatever. I would, moreover, urge that the salaries of the judiciary be increased so as, at any rate, to be fairly equal to salaries received by other

officers or the government. The Supreme Court of the United States is certainly as high and august a power as that of the executive. Why, then should it not be paid as well? Far better to pay judges a fair salary, and provide a proper pension for them in their old age, than expose them to temptation by curtailing their salaries.

CHAPTER V.

THE NECESSITY OF A CODIFICATION OF LAWS.

When, in the original introduction of "Liberty and Law," I announced my intention of applying the same fundamental principles established in that work in a subsequent work on State, National, and International Codes and Constitutions, I had in view an independent and more extensive book. But the present second edition of this work gives me a chance to say in a condensed form what I wished to say on those subjects, — a form which may be more acceptable to the general reader than an extensive work on codification. I shall therefore proceed to sketch the outlines of such a system of codification as may be applied to the Federal, State, and departmental forms of government that will be peculiar to the United States under its new Constitution. The advantages which would accrue from such a codification, if systematically effected, will be apparent at once to every lawyer and judge. Its vast political importance cannot be readily seen, and would probably be realized fully only after it had been in operation for some time.

The first thing to be done after the completion and adoption of the codes would be to abolish altogether, in every part of the land, that unknown quantity called Common Law, of which no citizen who is not a lawyer can possibly know much, since it is not printed in one book, but fragmentally scattered through several thousand volumes, and of which lawyers and judges know very little more than laymen, as is shown by the fact that they are always at loggerheads with each other as to what this common law is, whenever a case calls for its application. It is of this common-law system that the English laureate says: —

"So Leolin went; and as we task ourselves
To learn a language known but smatteringly
In phrases here and there at random, — toiled,
Mastering the lawless science of our law,
That codeless myriad of precedent,
That wilderness of single instances
Through which a few, by wit or fortune led,
May beat a pathway out to wealth and fame."

And forty years' practice of law in courts of every degree in the United States authorizes me, I think, to say, that the poet has not in the least exaggerated the "codeless myriad of precedent" that constitutes the common law of England. At the very beginning of our government, the States that had been British colonies, and had not yet had time to make codes of their own during the struggle or after the close of the Revolution, may have acted prudently in continuing this system; but there is surely no reason why it should be retained now.

Not only that it is unknown and inaccessible to the citizens, who are nevertheless required to regulate their actions by it, — it being one of those profound legal axioms, which only lawyers can understand, that ignorance of the law cannot be pleaded as an excuse in court, — but it conceals a most subtle foe to free institutions, by making possible the establishment of a judicial despotism. In monarchical countries, the danger arising from the exercise of arbitrary power on the part of the judiciary is perhaps not so threatening, but rather appears somewhat like an offset to the despotism of the crown, and hence as a protection to the liberties and rights of the people; but under our republican form of government judicial despotism should be carefully guarded against. I cite the conflicting decisions of the Federal Supreme Court on the legal-tender quality of treasury-notes, wherein it was decided, at first, that the Legal-Tender Act of 1862 was unconstitutional,[1] and then very soon afterwards it was very properly decided, that the same act was constitutional (1870).[2]

Again, in the case of Murdock & Clark *v.* Governor Woodson and Attorney-General Ewing (1874), the same court overthrew the Constitution of Missouri of 1865, by construing the words,[3] "The General Assembly shall have no power, for any purpose whatever, to

[1] 8 Wall. 603. [2] Legal-Tender Cases, 12 Wall. 457. [3] Art. 11, sect. 15.

release the lien held by the State upon any railroad," to mean that the General Assembly had that power; whereby the people of the State of Missouri were robbed of over $26,000,000 of money justly due the State by railroad companies,[1] by the exercise of arbitrary judicial power.

A great number of other cases could be cited, showing the gradual decline of that court toward judicial despotism. Thus the common-law system gives almost unlimited scope to judicial discretion, and judges have taken the precaution to announce, long years ago, that the judicial judgments of the courts are not to be inquired into by reason of any fraud on the part of members of the court rendering the decisions. From the justice of the peace, through all the gradations of judges, up to the highest court, the judges are not liable to an action for the most erroneous judgments, under the common-law system. For that system permits the application of the facts proved to almost every question of law in so undefined and uncertain a way as to leave the decision entirely to the discretion of the judge. Hence, when you go into court with your case, you don't really make a generally known and commonly understood code of law your arbitrator, as you innocently suppose you do; but the man who happens to fill the judicial chair in the court where your case comes up for trial can decide your case as he pleases. He can falsely state the facts in your bill of exceptions, and you have no remedy against the judge. I may add that an inevitable result of the judicial despotism thus fostered by the common-law system is to destroy the confidence of the people in the integrity of the whole judiciary.

Wherever, in history, we find one man or several men combined together for a common purpose, striving for unchecked power, we find men devoting themselves with excessive zeal to hunting up offices for and granting favors to their friends and relatives. In all departments of government this is a dangerous tendency, but in the judicial department it is most specially so. And, worst of all, the people are beginning to be awakened to these corrupt influences, and hunt for lawyers who have the ear of the court, and who can get decisions to suit the client, right or wrong.

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[1] 22 Wall. 351, 374.

The general abolition of the common-law system will make general codification over all the United States a necessity, and terminate the present abuses of judicial discretion.

Under our duplex form of government we should, of course, have two main codes, — Federal codes and State codes, — each State, however, framing its own code of laws quite independently. This latter point, I must confess, seems to be somewhat of an obstacle to codification for a republic which has already thirty-eight States as its members. But the difficulty, I am inclined to think, will vanish as soon as it is resolutely grappled with, as I shall show directly.

The Federal codes should contain *all* the laws of the republic that are of general application and administered by the Federal courts; but it should contain nothing but those laws. The rules and regulations of the several departments of government, which at present fill up more than nine-tenths of the statutes of the United States, — the rules that govern the State, Interior, Treasury, War, Navy, and Postal Departments, — are utterly out of place in a code of the general laws of a country, and ought to be placed in a separate, carefully prepared Departmental code, called in New York the Political Code. This separation may appear rather captious, but is really of great practical importance. If we take out from the present Revised Statutes of the United States all those departmental rules and regulations, we shall have a small volume of Federal legislation, which every citizen can handle conveniently and afford to purchase. This is by no means an insignificant matter. The law ought to be accessible to every citizen; and not merely accessible in theory, but practically. This is, however, absolutely impossible with our present statute-book of over 1,200 large pages. It is virtually a sealed book to all citizens of the United States except the few who have made law their special profession. The Code Napoleon or the New York Code, on the other hand, — to illustrate my meaning by the most striking examples of what can be accomplished within the sphere of law, in the way of popularity and clearness, — is accessible and intelligible to every citizen of France, or of New York, who can read. You can put either in your pocket (so much for convenience), and read it for the sake of its literary beauty alone (so much for its popularity). It appears to me, that if the departmental rules and regulations, which are only of special application, were taken out of

the Revised Statutes, it would reduce the size of the volume to one-tenth of what it is now; and if a commission of clear-headed lawyers were to condense the remainder of those statutes into the short, clear sentences that distinguish the *Cinq Codes*, or the six codes of New York, a citizen of the United States might really be enabled to know — what the law supposes him to know under penalty — the law of his country. Considering that the *Code Napoleon* was framed and carried into practice within a few years in France, and that it has undergone only very few changes since its first introduction, in spite of the many political changes that France has passed through, our government certainly ought to find it an easy undertaking to establish a permanent Federal code of laws for the United States; more especially as we enjoy two vast advantages for the arrangement of such a code: Firstly, in that we have a written Federal Constitution on which to base it, so far as Federal legislation is concerned; and, secondly, in that our form of government closely defines and limits the jurisdiction of the Federal courts.

Such a Federal code of laws would have four main divisions: a constitutional code, a civil code, a penal code, a code of practice, with a glossary containing the meaning of each word in either code, to protect the people against conflicting constructions of the laws contained in the code.

The constitutional code should be definite, and not embrace such provisions as these in the Federal Constitution: —

"Art. IV., sect. 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence."

Now, this clause in itself is wholly obscure, and leaves to the president, and also to Congress, a discretionary power which can be abused to an extent extremely dangerous to our republican form of government, as was witnessed in the late scandalous interference of Federal authority in the affairs of Louisiana and Arkansas; and has been illustrated, indeed, throughout the whole period of reconstruction in the Southern States since the war of the rebellion. In another way, this power was abused by *not* exercising it during the strikes of a few years ago.

The interpretation of this section of Article IV., and its application to the various cases that might arise under it, would thus form a necessary clause of the constitutional code.

Sections 1 and 2 of the same article — the first authorizing Congress, "by general laws, to prescribe the manner in which the acts, records, and proceedings of the several States shall be proved, and the effect thereof," and the second providing that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States" — clearly need the same exposition in the constitutional code; as, indeed, do several other clauses.

I need only specify a few more here. For instance, the power of the Federal government to collect its taxes by priority to the collection of the State taxes, and the mode of enforcing such collection, has been constantly subject to dispute, and decided differently in different States. Whenever the question arises anew, therefore, it is brought up anew before the courts, at a great expense to the parties concerned. The attorneys on each side are able to quote decisions in their favor, and quote interpretations from the standard text-books on the subject in behalf of their respective causes; and it depends entirely upon the discretion of the court before which such a cause is brought, how it will be interpreted. A Federal code, fixing the law on the subject by a few explicit provisions, would settle the question at once.

The same can be said of the naturalization question, which also has never as yet been uniformly settled. Quite a number of States admit foreign-born citizens to the right of suffrage although they have resided only one year in this country, while the United States government requires a residence of five years before it naturalizes foreigners. The question that here arises is this: whether the action of those States is not in conflict with the Federal Constitution, and liable to lead to serious political entanglements. It seems somewhat contradictory that a person may be a citizen of Missouri, for example, and yet not be a citizen of the United States; or by becoming a citizen of Missouri, become also a citizen of the United States, in spite of the naturalization laws.

Then there is that clause of the Constitution which gives Congress the power to regulate commerce among the several States, — a power that has never been enacted into law, and the framing of which into

statutory provision would form a code of public intercommunication on the principles laid down in this work.

In short, the Federal constitutional code would define the relations between the Federal government and the several State governments as they would be announced in the new National Constitution.

The Federal civil code would present the whole body of the civil law, as has been done in California and New York, with the other codes requisite to administer the laws of the Federal government.

The Federal political code would establish, in statutory form, laws interpreting the rights, duties, and obligations of official persons under the present laws, and as they are to be fixed in the new Constitution and laws referred to by me in the present work. As instances of this class of much-needed legislation, I may mention National and State sanitary laws, educational laws, laws authorizing a citizen to sue the State, laws definitely fixing the *status* of an American citizen, the rights and duties of citizenship, when it is forfeited by expatriation, the relation of women to citizenship, and the *status* of male and female minors in regard to citizenship. There is a vast field open here for wholesome National and State legislation, which I need not discuss in detail. I may add, however, that the proposed Federal civil code ought to define once for all the legal character of the marriage relation for all the States of the Union. This would, amongst other beneficial results, secure the abolition of the unnatural institution of polygamy, that still exists in parts of our country.

The Federal penal code could be readily constructed on the basis of the existing United States statutory provisions relating to crime; simply shaping them into a compact and intelligible form, and supplementing them by further provisions when necessary.

The details of a Federal code of civil and criminal practice would be out of place in a book like this. The State code should, so far as possible, be the same for each State in the Union. There must, of necessity, be some difference on trivial matters in the thirty-eight State codes required for our republic; but as California and New York have, as above stated, already created codes which may readily be adopted in all the States, each other State might simply make special modifications for any necessary differences.

A State code has already been prepared for the State of New York by counsellors of eminent ability, — D. Dudley Field, Wm.

Curtis Noyes, and Alexander W. Bradford, — which was reported to the Legislature of that State in February, 1865, by the surviving code commissioners under the act of April 6, 1857, Mr. Noyes having died shortly before the completion of the report. The works are now embraced in six volumes, — the Code of Civil Procedure (including the law of evidence), the Book of Forms, the Code of Criminal Procedure, the Political Code, the Penal Code, and the Civil Code.

California adopted the codes of New York in 1870, and they have proved a great success in that State. The civil code was adopted at the session of the Legislature in New York in 1879, but by accident the governor failed to sign it. There can be no reasonable doubt that the Legislature of that State will reënact the bill to adopt the civil code at its next session, and that the governor will sign it, so as to make it the law of that State. This will abolish the common law and equity systems of discretion and fraud in that great State.

The New York and the California codes will then furnish models for all the other States, except Louisiana, which adopted the civil code in 1808, based on the same principle.

The establishment of a general National or constitutional code in advance of the States that have not yet made codes, would not only greatly facilitate the establishment of the latter, but would also prevent much of the existing antagonism between the United States statutes and the statutes of the several States. There can be no doubt that such a harmony between the State and Federal codes would materially decrease vexatious litigation by limiting appeals and writs of error from the State and Federal courts. Under the present system we have as many different systems of law, so to speak, as there are States; that is, some thirty-eight systems of law, in many essential points differing from each other. Hence the New York merchant who sells to customers in Illinois, Missouri, Kansas, or California must be, in cases of assignments, familiar with all the technical details of the assignment laws of each of those States; and if he sells in all the thirty-eight States of our Union, he must familiarize himself with all the technicalities of the assignment laws of those thirty-eight States. This is exceedingly vexatious, especially in a country where intercommunication between citizens is so extensive as it is in the United States. As a consequence, there are very few citizens of one State now who know what the laws of another State are; and if they immigrate into it, or have business to transact in it,

they are forced to undergo the tedious and almost impossible task of studying its statutes. Many acts and omissions constitute criminal offences in one State which are innocent in other States; and unless the immigrant or traveller chances to be aware of this, he may subject himself to arrest and criminal punishment for doing what he, in his own State, had always been led to consider perfectly harmless. Even professional lawyers find it no easy task to master the different law-systems of the different States to which their practice may extend; not to mention the expense of purchasing the books that pretend to develop those systems.

The only obstacle in the way of this most essential reform seems to be that clannish State pride which led to the war of the rebellion. But if one of the States of the Union thinks it derogatory to its dignity to adopt a common civil and criminal code with all the other States of the Union, and insists upon a particular and specific code, why should it not also lay claim to a particular and specific system of medicine, or its own particular and specific dress and dialect of speech? — thereby triumphantly exhibiting its "sovereignty."

There was a time when this species of local pride really did run into this extravagance, though never here to the extent it did in Europe. Even yet, travellers may pass from one county to another in Great Britain, and find themselves unable to make their wants understood, so tenaciously do the people retain their dialect; and to this day the dress of a German peasant is a sure indication of the district from which he came.

But that time is rapidly passing away for this republic. The late civil war has done at least this much good: that it has quenched the spirit of localism and roused in its place the spirit of universal humanity, which is the life and soul of our form of government. One law and one government, bearing equally and justly upon all men, is the grand task which the United States of America is destined to achieve.

There need be no apprehension that such a uniformity of the State codes will result in centralization, and kill off the local independence of our several States. No one can be more opposed to such a general centralization than I, who recognize in the federative form of our government the form that must ultimately unite all the civilized nations of the earth into what Tennyson grandly and prophetically calls the "Confederation of the World." Even as I propose that

all the States of our Union should have the same code of laws,— everywhere uniform, — so will it ultimately become necessary that each separate nation of the world-confederation which is to be, should adopt a uniform series of codes, differing only in minor details. And will any one say that if all the States in the world had the same code of laws, this would render them less sovereign than they are now? It would remove class legislation, lobbying, bribery of all kinds, and diminish the expenses of legislation and judicial proceedings at least three-fourths. Let us, then, have one code of laws for our federation, and one code of laws for each of the States that compose it. This will give Congress and our State legislatures opportunity to devote themselves to their appropriate duties, instead of selling out the public lands and public moneys to railways, banks, and other corporations for bribes paid to their members by the lobby, and time to remove that confusion of the laws which leads people to give up the mere attempt to read and learn them as utterly hopeless.

III. The establishment of an International code, finally, in the manner indicated by me, is, of course, a matter which the American people can aid only by encouraging every attempt made in that direction. That it is not the dream of an impractical idealist, however, but a fact shaping itself more and more into complete form, is sufficiently demonstrated every day by the changes occurring in international relations. Within the last few years some ten or twelve international congresses have been held, and followed by very gratifying results. One of these especially, the postal congress held at Berne, Switzerland, in September of 1872, has proved in the most practical manner, that the settlement of all international financial transactions can be brought quite as readily under the rule of law as the financial dealings between individuals.

Postal affairs were in former times conducted by nations, quite as much as all other affairs, on the principle that each nation ought to endeavor to make the most out of all other nations, without regard to law or justice. It was force which ruled; or, at times, cunning, when it overreached force. The postal congress of Berne was the first great symptom of a new era for the nations of the world. The United States of America, all the countries of Europe, Egypt, and the Spanish and Portugese possessions in Africa, and all the British colonies in Australia and elsewhere, were by that congress united into a general postal union, which is wholly governed, so

far as international postage is concerned, by the laws established by the congress and ratified by the different nations represented in it. Since then, by providing for an international exchange of postal orders, it has even gone so far as to lay the foundation of an international system of banking; so that we may confidently expect, that within a comparatively short time it will no longer be considered impracticable to establish also international clearing-houses for the financial transactions of the world, the first suggestion of which was made by me in the first edition of "Liberty and Law," and which was then decried as simply a visionary project. Time has shown that nearly all proposed reforms suggested by me in that first edition have become recognized as indispensable by the foremost nations of the civilized world.

Next in importance to the Berne congress I consider the sanitary congress held at Vienna, and attended by some ten nations of Europe and Asia, for the purpose of establishing a sanitary code to prevent most effectively the spread of epidemics from one country to another. This congress has also achieved some important results, and I may be pardoned here for recurring to my proposed general sanitary code for the United States, and to ask those of my critics who have attacked it so severely, why that proposition should be held extravagant here, when in Europe it was years ago found necessary to establish an international sanitary code?

Apart from these special international congresses, three have been held within the last seven years for the sole purpose of establishing a general international code of Public Laws for all the States of the civilized world.

Such an international code may therefore be looked upon as one of the great blessings that a very near future must bring to the human race. Its adoption will necessarily lead to the organization of an international judiciary, to decide upon all questions possibly arising under that code, and thus prepare for the general abolition of war.

The first step in the advance of civilization was the supersedure of the rule of force by that of law, and the consequent establishment of legal representative governments. The second, and by far greater step occurred when the thirteen original States of this Union, instead of remaining separate organizations, and settling their quarrels amongst each other by war, founded this federative republic, and established a Supreme Court to settle all those quarrels by law.

The final step to be taken for the perfection of human governments will be to constitute all the States of the civilized world into representative confederations, subject to the decisions of an international court in cases of conflicting claims, under a code administered by those international judicial tribunals, and thereby to banish the rule of force altogether, and substitute the rule of enlightened reason and justice in lieu of war, with all its horrors and brutalities.

CHAPTER VI.

CONCLUDING REMARKS.

The experience of the past ninety-one years, since the adoption of the Federal Constitution, proves that it is necessary to have checks and balances against every form of abuse by the officers whom the people may choose as their servants. On February 14, 1870, I submitted to the Judicary Committee and the Committee on the Revision of the Federal Statutes, in both Houses of Congress, the following act, to prevent corrupt action or judgments on the part of the Federal justices or judges, which can be enlarged so as to reach State judges, State and Federal legislators, and all persons holding office under State, Municipal, or Federal governments. There can be no valid objection to such acts of Congress, or similar acts of the State legislatures. They are necessary to preserve the liberties of the people: —

AN ACT to maintain and preserve the purity of the administration of justice, of equity, and of law, in all the courts, judicatories, offices, departments, and tribunals of the United States of America, and to prevent and punish all fraud, official corruption, bribery, perjury, subornation of perjury, and all official and judicial tyranny and oppression, to the end that a pure, honest, economical, and efficient administration of the judicial department may be forever secured, for the common benefit and protection of the people of the United States of America.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, as follows: —

Section 1. Any justice, chief justice, judge, officer, or other person exercising any judicial function, judgment, or discretion in any court, judicatory, office, or department of the government of the United States of America, who shall knowingly or designedly deliver, enter up, or assent to any order,

decision, judgment, or opinion in any case, claim, demand, or proceeding before any court, judicial officer, executive officer, or officer of the United States of America; in which judgment, order, decision, opinion, or allowance there shall appear any false statement or statements, material to the honest and impartial administration of justice, of equity, or of law, in any such particular case, claim, demand, or proceeding; or which judgment, order, decision, opinion, or allowance is knowingly or designedly based or founded, or pretended to be based or founded, upon any false assumption, statement, or averment of facts or circumstances, material to the just, legal, or equitable decision of any such case, proceeding, claim, demand, or allowance, or material to the impartial administration of justice, of law, of equity, or of official action, prerogative, or power; then, in every such case, each justice, chief justice, judge, judicial officer, executive officer, or officer of any description, holding or exercising any function or power, judicial, executive, or otherwise, under the United States, shall be deemed guilty of a violation of his oath of office, of perjury, and of a high crime and misdemeanor against the United States of America.

Sect. 2. Any justice, chief justice, judge, or other officer referred to in the first section of this act, who shall knowingly or designedly violate his oath of office, or designedly refuse to do manifest justice or equity in any case or proceeding referred to in said first section of this act, shall be deemed guilty of perjury, and of a high crime and misdemeanor against the United States of America.

Sect. 3. Any justice, chief justice, judge, or other officer referred to in the first section of this act, who may ignorantly violate the provisions of the first or second sections of this act, shall not be subject to conviction or punishment for such violation of either or any of the provisions of the said first or second sections of this act, unless he shall adhere to a judgment, decision, order, or opinion already assented to or delivered by him in any case, claim, demand, or proceeding, containing or founded upon any false statement or statements, material to the proper or just decision of, or judgment, order, or allowance in any such case or proceeding, or material to the impartial administration of justice, of law, of equity, or of official prerogative or judgment in any such particular case or proceeding, after his attention has been directly called, in a printed address served upon him in such case, to the particular false statement or statements contained in any such opinion, judgment, order, or decision in any such motion, case, hearing, trial, or proceeding referred to in the first section of this act; in which case any such justice, chief justice, judge, or officer referred to in said first section of this act shall be deemed guilty of perjury, and of a high crime and misdemeanor against the United States of America.

Sect. 4. Any justice, chief justice, judge, or other judicial officer or person referred to in the first section of this act, who shall assent to, or announce or deliver any order, opinion, or decision of any court or tribunal, inflicting any fine or imprisonment, or disbarring or disabling any attorney, solicitor, proctor, or counsellor of any Federal court for a contempt of such court, or

other alleged offence against such court, or the justices or judges thereof, by reason or on account of the publication or service of the said printed address referred to in section 3 of this act, or the service or delivery of the same to the justices, judges, or judicial officer or other person constituting any court or tribunal of the United States, shall be deemed guilty of official tyranny and oppression, and of a high crime and misdemeanor against the United States of America.

Sect. 5. Any justice, chief justice, judge, or other judicial officer referred to in the first section of this act, who shall, by his manner, words, conduct, or other signs, such as want of attention, sleeping, reading papers, books, letters, cards of invitation to parties or dinners, or writing letters, while sitting to administer justice on trials, or hearing of cases, motions, or other proceedings, in any Federal court or tribunal; or who shall express, imply, or show, directly or indirectly, any passion, prejudice, partiality, favor, hostility, contempt, scorn, derision, disdain, or encouragement for or against either party, or the attorney, counsel, proctor, solicitor, or advocate of either party to any suit or proceeding in any such tribunal or court, shall be deemed guilty of a high crime and misdemeanor against the United States of America.

Sect. 6. Hereafter all the cases, causes, motions, and proceedings of the Supreme Court and of the Circuit Courts of the United States of America shall be reported under the supervision of the attorney-general of the United States, who shall appoint, by and with the concurrence of the Senate of the United States, all the reporters of the Supreme Court and of the Circuit Courts of the United States; and the entire printed statement, brief, and argument for the party adverse to the judgment or decision made or rendered in each particular case, together with the entire printed motions, in each case, for a reform of the judgment, order, or decree, or rehearing of any case, shall be printed and reported with the opinion of the court, in type of the same size as that used for the reporting of the opinion in such case, and the said attorney-general shall cause the head-notes of the points of the opinion, and of the brief and argument opposed to the opinion, to be made and affixed to the report of each case, and form a part of the report, to be printed as reports of decisions; and no Federal court shall hereafter appoint a reporter of the decisions of such court, or of the opinions of the justices or judges thereof, but all such reporters shall be appointed by the attorney-general, by and with the advice and consent of the Senate of the United States; and any reporter so appointed who shall fail or neglect to perform his duties under this act shall be liable to a fine of five thousand dollars, to be recovered in a *qui tam* action in the name of the United States, one-half of such fine to be paid over, when collected, to the informer.

Sect. 7. Six copies of the record and maps, and of the briefs and arguments on both sides, in each case heard or pending before the Supreme Court of the United States, the Court of Claims, or other Federal court in the District of Columbia, shall be deposited, when printed, or as soon thereafter as practicable, with the librarian of Congress; and it shall be the duty of the reporter of each court to make such deposit within a reasonable time after

the printing of such record, and briefs and arguments, and any failure or neglect to perform such duty shall subject him to a fine of one thousand dollars, to be recovered in a *qui tam* action, as aforesaid, in the name of the United States, one-half of such fine to go to the informer.

Sect. 8. There shall be allowed as a salary to the reporters to be appointed under this act, the following sums per annum: To the reporter of the Supreme Court of the United States, ——— per annum; to the reporter of the Court of Claims, ——— per annum; to the reporter of the Supreme Court of the District of Columbia, ——— per annum; to the reporter of the Circuit Court of the United States, in each circuit, ——— per annum, except in the circuits embracing New York, California, and Massachusetts, who shall receive each ——— per annum.

Sect. 9. The salary of the clerk of the Supreme Court of the United States, in lieu of fees, shall be ——— per annum, and such clerk shall have his own clerks and assistants, and pay them out of his salary. The fees of the said office of the said clerk of the Supreme Court shall be paid into the treasury of the United States semi-annually, on the first Monday of July and January of each year, and a full and correct account of all fees, perquisites, and gains of said clerk's office shall be rendered on said days, respectively, to the treasurer of the United States, verified by the oath of said clerk; and any failure by said clerk to perform the said duties required by this section shall incapacitate said clerk from holding his said office, or any other office of honor, trust, or profit under the United States, and subject him to a fine of not less than one thousand dollars nor more than ten thousand dollars, to be recovered in a *qui tam* action in the name of the United States, one-half of which shall go to the informer.

Sect. 10. Any person who shall bribe or attempt to bribe, or to corruptly influence or attempt to influence, by any means whatsoever, any justice, chief justice, judge, or judicial officer, or other person referred to in the first section of this act, to decide any case, motion, or proceeding in any court of the United States, or other tribunal or judicatory of the United States, in favor of either party to such case, motion, or proceeding, shall, on conviction thereof, be sentenced to the penitentiary for a period not less than ten years; and any judge, justice, chief justice, or other officer or person referred to in the first two sections of this act, who shall accept any such bribe, or submit to any such influence, shall, on conviction thereof, be sentenced to imprisonment for life.

Sect. 11. Any judge, justice, chief justice, judicial officer, or other person referred to in the first section of this act, who shall violate the provisions of the first, second, or third sections of this act, shall, on conviction thereof, be sentenced to the penitentiary for a period not less than five years nor more than ten years. Any judge, justice, chief justice, or other judicial officer or person referred to in the first section of this act, who shall violate the fourth or fifth sections of this act, shall be subject, on conviction thereof, to imprisonment in the penitentiary not less than six months nor more than five years; and in case of any violation of the first, second, third, fourth, or fifth sections

of this act, the said party or parties, referred to in the first section of this act, guilty thereof, or of either of them, shall, in addition to the penalties and punishment hereinbefore affixed to such crimes, be subject to impeachment before the Senate of the United States.

This act to take effect and be in force from and after its passage.

Similar statutes might also be passed to punish executive officers, and members of Congress and of the State legislatures, who abuse their power in the same way.

PUBLIC HYGIENE.

CHAPTER I.

DEFINITION OF PUBLIC HYGIENE.

Public hygiene, by its very name, excludes the treatment of hygiene as each private individual may choose to apply it to himself and family. It therefore does not concern itself with the special diet of persons, nor with their idiosyncracies in the choice of medicines, but relates only to those subjects of health which are public, and affect all men equally. This, indeed, while it results from a mere sense of general justice, has its own particular significance in relation to the republican form of government of the United States, which, while it assumes to provide for the protection of the welfare of all, does not allow governmental interference with the rights of the individual.

Keeping this in view, and considering the government in its relation to the universal requirements of the human body, public hygiene can have only one subject for its application under a system of Liberty and Law. This is to furnish to every individual the needs which his body requires for a healthy life in healthy purity. In other words, since man has only two such *universal* needs, air and food, government is in duty bound to guarantee to every citizen the air he breathes and the food he eats or drinks in the utmost attainable purity. In regard to all other things which individual men may think necessary for their health, — such as drugs, — government can exercise only a negative duty, to wit, supervision. Government may supervise the sale of drugs, liquors, etc., and see to it that the purchaser obtains unadulterated what he desires to purchase, but it cannot prohibit an individual from eating or drinking what he chooses.

Governmental regulation of public hygiene treats, therefore, only of that one universal necessity of all men, — food; but as this food

is, in common language, always separated into two classes, — the food which we partake through our lungs and the food which we partake through our stomachs, — we also shall keep up these distinctions, and treat separately of the necessity on the part of government to provide pure air and pure food (in the limited sense of the word) for its citizens.

I shall speak of pure air first, because it is the more important branch of public hygiene, seeing that we consume it in quantities infinitely beyond our consumption of food, and also because it more deserves governmental supervision, and indeed cannot be obtained without such supervision. Man's individual instinct, acting through nausea, is quite apt to tell him all he need know of the purity of food, but that instinct is not sharpened enough to detect impurity of the air. Again, my neighbor cannot interfere with the purity of my food, but he may, in hundreds of ways, affect the purity of the air in my house. Indeed, every inhabitant of a town or city is in this respect dependent upon all his fellow-inhabitants, and only law can give him the necessary security.

I shall introduce the subject by one of its essential, but as yet little developed branches, — the branch which refers to weather and climate.

CHAPTER II.

WEATHER AND CLIMATE.

In considering the subject of pure-air hygiene, in its universality, we find that we must include within its scope not only the atmosphere in our buildings and cities, but the whole atmosphere that surrounds the earth, — all its movements of storms, hurricanes, and electric currents, and even the magnetic currents that pass through the earth, — as one of the main causes of the atmospheric changes.

In other words, we must develop the science of meteorology, not merely for its own sake, and as a science by itself, but also as part of the science of ventilation and hygiene; so that the whole of this globe of ours may, in course of time, be made inhabitable and healthy. Life must be made beautiful and healthy over the whole

earth. Naturally, our own immediate interest is centred in the United States and its climate; but the earth is so constituted, that not a single part of it can attain perfect development unless all other parts are equally developed. This is a provision of nature whereby men are compelled to abandon their individuality and separately national clannishness, and to work together as a unity for one common object. It is a direct suggestion of the necessity for promoting the homogeneity of our race.

Hence, grand as the direct results of our own weather signal-service have been already in the ten years of its existence, its greatest achievement is, unquestionably, that it has clearly shown its inadequacy unless it is made an integral part of a world weather-system. The weather of the United States cannot be calculated beforehand unless we know the weather phenomena of the equatorial as well as those of the arctic regions, and, indeed, of all the rest of the earth.

But with the improvement of the climate in the now uncivilized parts of the earth we shall also witness, as experience has abundantly shown, a gradual dawn of culture in those now benighted regions; and in course of time the educated man of the European and American continents will no longer need to blush for his brethren of the less favored regions of the earth, to whom civilization has not yet fully revealed itself.

And now let us turn to our more immediately practical branch of pure air, regardless of the electric, magnetic, and planetary influences that may affect it, its relation to the human body as the main element of its food, and therefore of human life itself.

CHAPTER III.

PURE AIR.

The human body, being the material representative of the human mind, should, like it, irradiate health and cleanliness, and in proportion as it does not do so it contributes to moral disease and impurity. There is no more effective propagator of immorality than the filth of crowded districts in cities; it infects the body with all the physical

diseases that stir up vicious and low appetites and passions. The law should protect every citizen against these injurious influences, and as they operate chiefly through the air, it is the duty of a State organization to secure to every citizen the needful amount of pure air wherever the co-residence of others tends to impair its natural purity.

Pure air is, indeed, the foremost necessity of human life. Not only does man need it as food, — and as food he consumes in quantity six thousand times more of air than of all other food, — but also to preserve the normal temperature of the body, and carry off its exhalations.[1] It is only of late years that the facts connected with the consumption of air by the human body have been mathematically ascertained and corroborated by experiments, particularly by Dr. von Pettenkoffer, the most eminent sanitary physician of Germany; as, indeed, the whole science of public hygiene is but a few years old. The results ascertained disclose enormous figures. Whereas but thirty years ago, for instance, six hundred cubic feet of fresh air per hour were considered sufficient for each patient in a hospital, over two thousand cubic feet per hour have now been ascertained to be necessary; an amount which — in such large buildings as hospitals necessarily are, and still more in crowded cities — only the most efficient system of artificial mechanical ventilation can secure. Not to provide for this constant flow of pure air throughout every house, street, and alley is to spread disease in every form from one body to another, and, moreover, to steep the whole population of a city into a continuous intoxication, the result of inhaling the poisonous carbonic acid gas infecting the air.

From numerous experiments, made with men of different stature, Dr. Menzie found that, in a normal condition, from fourteen to eighteen respirations are made every minute; others place the number at from thirteen to twenty-two. The quantity of air drawn into the

[1] The quantity of air inhaled and exhaled by an adult in twenty-four hours amounts, on an average, to about 360 cubic feet, or 2,000 gallons. What we take in and give out during twenty-four hours in the shape of solid and liquid food occupies, on an average, the space of 5½ pints, which is equal to $\frac{1}{3000}$ of the volume of the air passing through our lungs. Those daily 2,000 gallons of air, with their weight of twenty-five pounds avoirdupois, give us for one year 730,000 gallons of air consumed by an adult through the lungs alone.

lungs at each inspiration varied from 40.7 to 46.7 cubic inches, so that Menzie considers 720 cubic inches about the average quantity inhaled every minute by a healthy man, and 500 that inhaled by a healthy woman.

Now, let it be considered, that the fresh air, before it is taken into the lungs, is composed of 23.2 per cent of oxygen, 75.5 per cent of hydrogen, and about 1½ per cent of carbonic acid, besides a small, variable quantity of vapor of water; and that when it passes out again, — some ten or twelve seconds after having been inhaled, — it contains a larger quantity of vapor, the same quantity of nitrogen, from eight to nine per cent of carbonic acid, and only from eleven to twelve per cent of oxygen. It thus appears that nearly one-half of the oxygen inhaled, in its passage through the lungs has been changed into carbonic acid, or from the life-giving element of the air into deadly poison. But when atmospheric air contains but 3.5 per cent of carbonic acid gas it is unfit to support animal life. Now, the air exhaled from the lungs contains 2.4 times that amount of the gas. This unquestionable scientific fact ought to convince, of itself, every person of the imminent danger of inhaling foul air, and of the absolute need of a complete system of private and public ventilation.

But there is also an historical fact which may be cited for the benefit of those who will not accept facts of science. It is the most noted example of the deathly character of impure air, and is known all over the world as the horror of the Black Hole of Calcutta. It occurred in the year 1756, during the rebellion of the East Indians against British rule, which was finally suppressed by Lord Clive.

Calcutta, one of the British strongholds, had been compelled to surrender to the native rebel troops on the 19th of June, 1756, and its small garrison of 514 men, of whom only 174 were Europeans, had been taken prisoners. And this is what followed: One hundred and forty-six of these prisoners were driven into one of the dungeons of the garrison known as the *Black Hole*, a room of only twenty feet square, or 1,600 cubic feet, and with only two small windows, and those obstructed by a veranda. It was the hottest season of the year, and the night uncommonly sultry even at this season. The excessive pressure of their bodies against one another, and the intolerable heat which prevailed as soon as the door was shut, convinced the prisoners that it was impossible to live through the night in this horrible confinement, and violent attempts were immediately made to

force the door, but without effect, for it opened inwards, on which many began to give loose to rage. Mr. Holwell, who placed himself at one of the windows, exhorted them to remain composed both in body and mind, as the only means of surviving the night; and his remonstrances produced a short interval of quiet, during which he applied to an old *Jemantdar*, who bore some marks of humanity about him, promising to give him 1,000 rupees in the morning if he would separate the prisoners into two chambers. The old man went to try, but, returning in a few minutes, said it was impossible, when Mr. Holwell offered him a larger sum, on which he retired once more, and returned with the fatal sentence that no relief could be expected, because "*the nabob was asleep, and no one dared to wake him.*" In the meantime every minute had increased their sufferings. The first effect of their confinement was a continued sweat, which soon produced intolerable thirst, succeeded by excruciating pains in the chest, with difficulty of breathing, little short of suffocation. Various means were tried to obtain more room and air. Every one stripped off his clothes, every hat was put in motion; and these methods affording no relief, it was proposed that they all should sit down on their hams at the same time, and after remaining a little while in this position, rise all together. This fatal expedient was thrice repeated before they had been confined an hour, and every time several, unable to raise themselves up again, fell, and were trampled to death by their companions. Attempts were again made to force the door, which, failing as before, redoubled their rage; but the thirst increasing, nothing but "water! water!" was cried for. The good *Jemantdar* immediately ordered some skins of water to be brought to the windows; but, instead of relief, his benevolence became a more dreadful cause of destruction, for the sight of the water threw every one into such excessive agitations and ravings, that, unable to be regularly served, each man battled with the utmost ferocity against those who were likely to get before him; and in these conflicts many were either beaten to death by the efforts of others, or suffocated. This scene, instead of exciting compassion in the guard without, only awakened their mirth; and they held up lights to the bars in order to have the diabolic satisfaction of seeing the deplorable contention of the sufferers within, who, finding it impossible to get any water whilst it was thus furiously disputed, at length suffered those who were nearest the windows to convey it in their hats to those

behind them. It proved no relief either to their thirst or other sufferings, for the fever increased every moment with the increasing impurity of the air of the dungeon, which had been so often respired, and was saturated with the hot and deleterious effluvia of putrefying bodies, of which the stench was little less than mortal.

Before midnight, all who were alive and had not partaken of the air of the windows were in lethargic stupefaction or raving with delirium. Every kind of invective and abuse was uttered, in hope of provoking the guard to put an end to their miseries by firing into the dungeon; and whilst some were blaspheming their Creator with frantic cries of torment and despair, heaven was implored by others with wild and incoherent prayers, until the weaker, exhausted by these agitations, at length lay down quietly and expired on the bodies of their dead and agonizing friends. Those who still survived in the inward part of the dungeon, finding that the water had afforded them no relief, made a last effort to obtain air, by endeavoring to scramble over the heads of those who stood between them and the windows, where the utmost strength of every one was employed for two hours, either in maintaining his own ground or endeavoring to get that of which others were in possession. All regards of compassion and affection were lost, and no one would recede or give way for the relief of another. Faintness sometimes gave short pauses of quiet, but the first motion of any one renewed the struggle through all, under which ever and anon some one sunk to rise no more. At two o'clock A. M. not more than fifty remained alive; but even this number was too many to partake of the saving air, the contest for which and life continued until the morning began to break, and with the hope of relief gave the survivors a view of the dead. The survivors then at the window, seeing that their entreaties could not prevail on the guard to open the door, it occurred to Mr. Cook, the secretary to the council, that Mr. Holwell, if alive, might have more influence to obtain their relief; and two of the company undertaking the search, discovered him, having still some signs of life. But when they brought him near the window, every one refused to quit his place excepting Capt. Mills, who, with rare generosity, offered to resign his, on which the rest likewise agreed to make room. He had scarely begun to recover his senses, before an officer, sent by the nabob, came and inquired if the English chief survived; and soon after the same man returned with an order to open the prison. The dead were so thronged, and the

survivors had so little strength remaining, that they were employed for nearly half an hour in removing the bodies which lay against the door, before they could clear a passage to get out one by one; when, of *one hundred and forty-six* who went in, no more than *twenty-three* came out alive, the ghastliest forms that ever were seen on the earth! The nabob's troops beheld them, and the havoc of death from which they had escaped, with perfect indifference, but did not prevent them from removing to a distance, after having obliged them to clear the dungeon and dig a ditch on the outside of the fort, into which all the dead bodies were promiscuously thrown.

This horrible tale, told by Mr. Holwell himself, does it not find a counterpart in the inhumanity which leads us to shut up our poor in hovels and our prisoners in cells, that are just such Calcutta holes; and, what is worst of all, to exclude as much as possible every breath of God's pure air from our infant children? It may safely be said that every nursery in the land is a miniature Black Hole, as the tables of infant mortality attest but too clearly. We take away from those children light and air, the two essential elements of life, and yet we wonder that they die at such a frightful rate, — about five to one adult. We carefully curtain thickly every window of their rooms, — cells they should be called, — which is about as vile a piece of inhumanity as was the action of the British government when it imposed a window-tax, thereby inducing the poor to exclude light and air from their rooms, and slowly killing themselves in order to escape a ridiculous taxation. To show that I do not exaggerate the mortality of children as compared with that of adults, I here append a table of the percentage of mortality of children under five years. It opens a dark picture. It gives the figures for some of our larger cities, and for the whole of the United States: —

New York	50.45	Washington	46.44
Philadelphia	45.54	Milwaukee	61.00
St. Louis	53.00	Providence	39.76
Chicago	51.24	Massachusetts	37.15
Cincinnati	46.68	Rhode Island	34.16
Baltimore	45.54	United States	41.28

With all these facts in view, it seems strange that so many people should still entertain a really positive hostility to pure air. But the explanation lies here: Every species of intoxication imparts a fondness for the condition, — a desire to recur to the sensations excited

by it; and the intoxication produced by foul air is not without this dangerous element, which, indeed, alone could have made it possible that men should shut out from their dwelling-places God's pure air, as if it were their worst enemy, and yield themselves and their children to those sensations of drowsiness and stupor which air impregnated with carbonic acid gas invariably excites. Legislation on this subject will therefore meet a deep-rooted opposition from the frequenters of tenement-houses, dens, cellars, etc.; but in proportion as this opposition has its origin in that same foul air, the law should protect the upgrowing generation from similar results, and make possible the raising of a new generation of children whose bodies shall be free from the fearful taint. The terrible epidemics from which the human race suffers periodically have also their chief carrier and nourisher in foul air. That foul air is the chief agent in spreading contagion and epidemics has been now demonstrated beyond a doubt; and the fact which has so often excited wonder, that some epidemics seem to gather additional intensity in winter time, is a striking proof of it. The wonder was excited by a notion that the cold air of winter must be purer than the warmer air of summer, and produce of itself better ventilation in a house. But the reverse is the case. Unless a room has a good fire in an open chimney in winter time the ventilation is much less than in summer time, when windows and doors are thrown open, and hence in winter the air is more impure in unheated rooms. Now, the miserable dwellings of the poor are but too often without fire; at night-time, particularly, few of them can afford to keep up a fire. Thus the dread agent of contagion and pestilence gains additional strength from misery and poverty; and it is for this reason that fuel should be provided for the poor in winter time, if for no other, as one of the most effective means to ventilate their wretched dwellings, as they now exist under our present defective system of house-building, especially in cities containing crowded populations.

This necessity of providing warmth in buildings as an indispensable element for obtaining purity of air is a matter so very little understood that it may be well to explain it somewhat further, especially as one of the main objections to ventilation and the admission of pure air into buildings has been the notion that this necessarily implies unhealthy draughts and uncomfortable cold. Drs. Drysdale and Hayward, in their admirable work on Health and Comfort in House-Building (London, 48 Charing Cross, 1872), say: —

"To procure a sufficient supply of fresh air in our houses may, at first sight, appear a very simple and easy matter; we have apparently only to make as large an opening as is necessary for the admission of the outer air, and it will come in. This is, however, a misconception; for the outer air will not come in unless at the same time the inner air goes out, and these two currents will not readily take place through one aperture; there must therefore be two openings, — an inlet and an outlet.

"We need not insist on the above fact, because it is recognized by most persons of experience in the art of ventilation, and they generally provide two apertures. But here they stop, as though the making of a sufficiently capacious inlet and outlet were all that is necessary.

"But this is not enough; and it does not, will not, and cannot answer for house-ventilation in this country, because there is at least one circumstance that forms a fatal objection to all these schemes, and that is that nearly always the outer air is *cold* air, and cold air cannot with safety be admitted into our rooms at all times; nor indeed will it be, for in cold weather the inmates will stop up the holes in order to keep it out."

The British government commissioners who had the investigation of this matter of ventilation, especially in the houses of the poor, under their charge, sum up, as the result of their explorations, in these words: —

"The science or art of ventilation of buildings has never been reduced to system. Openings are made from the open air outside a building, below for the admission of fresh air, and above for the escape of the foul, in various fanciful ways; but the cold draughts are so inconvenient that every endeavor is practised to obstruct the inlet." [1]

And a recent writer, speaking on this subject, says: "The art of warming *or* ventilating a building is not a difficult one; but the art of warming *and* ventilating is extremely difficult, and cannot be said to have attained to anything like perfection." [2]

The air, therefore, must be *warmed* before it is admitted. But

[1] Government Blue-Book on Warming and Ventilation of Dwellings, p. 126.

[2] Cyclopædia of Useful Arts, published 1868. Art: "Warming and Ventilation."

the entrance of cold air through these inlets is not the only evil connected with this crude method of ventilation, for it will also frequently come in through the openings intended for outlets.

"At no examination of these," say the British commissioners again, "was it found that the air was escaping through them. On the contrary, flame was bent inwards, and fumes of partially consumed substances were driven into the room." [1]

In reference to the objections made against any kind of ventilation unless the admitted fresh air has previously been warmed, Drs. Drysdale and Hayward say: —

"When the air admitted into the rooms is perceptibly *cold*, every effort is made to arrest its entrance by stopping up all modes of ingress, even those of the best-contrived ventilating systems; these are thus rendered nugatory, and the whole art of ventilation is decried as a nuisance, the assurances of Messrs. Potts, Edwards, Watson, etc., to the contrary notwithstanding. On the other hand, if anything like success be attained in keeping out the draughts by close-fitting doors and windows, thick carpets and mats, or by listing, sand-bags, etc., the room becomes close and oppressive; and if several persons be in it, as at a dinner or supper party, the want of fresh air cannot be borne, and it soon compels the opening of the door or window, thus subjecting some one to a cold draught, and the risk of rheumatism, sore throat, bronchitis, or neuralgia. If only a few persons occupy a room protected from draughts as above described, it may be borne for a time; but then the chimney begins to smoke, if not continuously, at least occasionally, from slight disturbances of the atmosphere, such as gusts of wind, slamming of doors, or even the sweep of a lady's dress in the room."

It is, therefore, absolutely necessary that in countries of variable climates, like ours, houses should be artificially warmed, if the air in them is to be kept pure by ventilation.

The objection that the air thus artificially warmed is dry and disagreeable may be obviated by supplying water, either by evaporation or spray, to the air after it has been warmed. Air, to be pleasant for respiration, must contain a proper proportion of moisture; that is, near to the point of saturation, or what is usually contained in air out

[1] Government Blue-Book on Warming and Ventilation of Dwellings, p. 126.

of doors. The quantity of water required for saturation of the air differs with the temperature. Air at 66 degrees requires 6 grains of water in each cubic foot, but air at 30 degrees holds only 2 grains; consequently, if air be reduced from 66 degrees to 30 degrees, it parts with 4 grains of its moisture per cubic foot, in the form of dew; if then it be afterwards raised again to 65 degrees, without more water being supplied, it must necessarily feel dry and harsh. Hence, if in winter, by the warming apparatus, we raise the temperature of the air from 32 degrees to 65 degrees, we must supply it with water; otherwise it must necessarily be disagreeable and unhealthy, because of its rapid abstraction of moisture from the lungs and skin.

Having thus shown the necessity, in general, of providing pure air for all citizens of a Commonwealth, I shall now proceed to examine the conditions — which are by no means so few as may appear on a superficial examination — under which alone this can be done.

To provide pure air for every person, and thus protect each from the contaminating influences of all kinds of miasmatic and other impurities, the legislative power in each State must regulate —

1. The laying out of cities and villages in such a manner as to make possible the needful ventilation of their buildings, and the providing of public drainage.

2. The construction of all private as well as public buildings in such a manner as to make accessible to every inmate the necessary quantity of pure air, and the establishing of private drainage.

3. Personal cleanliness.

4. The laying out of counties and townships.

But, before entering into details, let me cite a few touching passages from Dickens's famous Dombey and Son: —

"Breathe the polluted air, foul with every impurity that is poisonous to health and life; and have every sense, conferred upon our race for its delight and happiness, offended, sickened, and disgusted, and made a channel by which misery and death alone can enter. Vainly attempt to think of any simple plant, or flower, or wholesome weed, that, set in this fœtid bed, could have its natural growth, or put its little leaves forth to the sun, as God designed it. And then, calling up some ghastly child, with stunted form and wicked face, hold forth on its unnatural sinfulness, and lament its being, so early,

far away from heaven, — but think a little of its having been conceived, and born, and bred in hell!

"Those who study the physical sciences, and bring them to bear upon the health of man, tell us, that if the noxious particles that rise from vitiated air were palpable to the sight, that we should see them lowering in a dense, black cloud above such haunts, and rolling slowly on to corrupt the better portion of a town. But if the moral pestilence that rises with them, and in the eternal laws of outraged nature is inseparable from them, could be made discoverable too, how terrible the revelation! Then should we see depravity, impiety, drunkenness, theft, murder, and a long train of nameless sins against the natural affections and repulsions of mankind, overhanging the devoted spots, and creeping on to blight the innocent and spread contagion among the pure. Then should we see how the same poisoned fountains that flow into our hospitals and lazar-houses, inundate the jails, and make the convict-ships swim deep and roll across the seas, and overrun vast continents with crime. Then should we stand appalled, to know that where we generate disease to strike our children down and entail itself in unborn generations, there also we breed, by the same certain process, infancy that knows no innocence, youth without modesty or shame, maturity that is mature in nothing but in suffering and in guilt, blasted old age that is a scandal on the form we bear. Unnatural humanity! When we shall gather grapes from thorns, and figs from thistles; when fields of grain shall spring up from offal in the by-ways of our wicked cities, and roses bloom in the fat church-yards that they cherish, then we may look for natural humanity and find it growing from such seed."

CHAPTER IV.

LAYING OUT OF CITIES.

The laying out of cities according to principles of sanitary science is practicable only, of course, in new cities, or in new additions to cities already existing, though it may in many cases be possible also

to rebuild old and badly built cities on a sanitary plan, at least in part; as Paris, for instance, was remodelled. Large fires and other circumstances may also make such reforms practicable in many cities.

In this matter it is first of all necessary, that the State should determine and establish for all cities and villages the minimum width of boulevards, streets, and alleys, and the proportionate number of open public squares. In my judgment, every fourth street should be a boulevard, and every fourth square in every direction would constitute the proper proportion of public squares. At least a part of these squares, and the centre and side lines of the boulevards also, should be planted with trees, to absorb the carbonic acid gas with which the air of a crowded city is always surcharged, and to furnish shade for the inhabitants.

Indeed, the value of trees for purifying the air, in large cities especially, can scarcely be overestimated. Their influence as such purifying agents is, indeed, almost incredible. Take into calculation, for instance, that a fair-sized elm, plane, or lime-tree will produce seven hundred thousand leaves, with an area of two hundred thousand square feet. Now, all these leaves greedily absorb the carbonic acid of the atmosphere, — which to animal life is simply poison, — and having absorbed it, breathe it forth again as oxygen. At the same time they thereby modify the temperature, promoting coolness in the summer and furnishing warmth in winter; while the trunks of the trees materially assist sewerage in purifying the soil.

I may add, that the same principle of purifying the air holds good in regard to house-plants. I quote from a celebrated authority, Dr. J. M. Anders, of Philadelphia: —

"The average rate of transpiration for plants having thin, soft leaves, like geranium, lantanas, etc., is found to be an ounce and a half of watery vapor per square foot of leaf-surface for twelve diurnal hours of clear weather. At this rate, a great tree like the Washington Elm at Cambridge, which has been estimated to have two hundred thousand square feet of leaf-surface, would exhale seven and three-fourths tons of water in twelve hours. The rate of transpiration for a house-plant is at least fifty per cent more rapid than for one in the open air; and it is evident, on the face of it, that a number of such plants must have a material influence upon the humidity of the air in which they are kept.

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"By means of the hydrometer, the atmosphere of two rooms at the Episcopal Hospital, in which the conditions and dimensions were in every respect similar, were tested simultaneously, in order to note the variations produced by growing plants. In the window of one of the rooms were situated five thrifty plants; the other contained none. For eighteen consecutive days the dew-point of the room containing the plants gave an average complement one and a half degrees lower than the room in which there were no plants.

"To make it sure that the difference in humidity was due solely to the presence of the plants, the conditions were varied and further observations made, but the results were similar.

"Since it is well known that certain maladies — especially those affecting the lungs and air-passages — are benefited by a moderately moist and warm atmosphere, and since plants furnish moisture to the warm air of a dwelling, these may properly be classed as therapeutic agents.

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"The plants should be well selected, and kept in a thriving condition. The chief point to be borne in mind in the selection of the plants are, first: that they have soft, thin leaves; secondly: foliage plants, or those having extensive leaf-surface, are to be preferred; thirdly: those which are highly scented (as the tuberose, etc.) should be avoided, because they often give rise to headache and other unpleasant symptoms.

"In order to facilitate a practical application of the data gained by experiment, the following formula has been carefully prepared: Given a room twenty feet long, twelve feet wide, and ceiling twelve feet high, warmed by dry air; a dozen thrifty plants, with soft, thin leaves, and a leaf-surface of six square feet each, would, if well watered, and so situated as to receive the direct rays of the sun (preferably the morning sun) for at least several hours, raise the proportion of aqueous vapor to about the health standard.

"To obtain the best results, both the rooms occupied during the day and the sleeping-apartments should contain plants. It was for a long time the opinion of scientific interpreters generally, that plants in sleeping-apartments were unwholesome, because of their giving off carbonic acid gas at night; but it has been shown by experiment, that it would require twenty thrifty plants to produce an amount of the gas equivalent to that inhaled by one baby sleeper; so that is no

valid objection to their admission, and not to be compared with the benefit arising from their presence."

But there is another way in which trees and plants act directly upon the human body, and purify the air which has been contaminated by its exhalations; for our own bodies inhale and exhale electricity, like the earth or the air. It has been calculated that the watery vapor which in the course of twenty-four hours exhales from the surface of a healthy body amounts to from thirty to forty ounces of water. This is sufficient to disturb the electric equilibrium of the body, and to evolve electricity of much higher tension than that set free by chemical action. This evaporation may probably account for the traces of free electricity generally to be detected in the body, by merely insulating a person and placing him in contact with a condensing electrometer. Pfaff and Ahrens generally found the electricity of the body thus examined to be positive, especially when the circulation had been excited by partaking of alcoholic stimulants. Hummer, another observer, found that in 2,422 experiments on himself, his body was positively electric in 1,252, negative in 771, and neutral in 399. The causes of the variations in the character of the electric conditions of the body admit of ready explanations in the varying composition of the perspired fluid. For if it contains, as it generally does, some free acid, it, by its evaporation, would leave the body positively electric; while if it merely contains neutral salt, it would induce an opposite condition. The accuracy of these statements can be easily verified by means of the electrometer.

But perhaps the most astounding feature of modern scientific discoveries is the reciprocal influence of electricity on plants. I have already explained the vast benefits which result from the exhalation of ozone, or electric oxygen, by flowers. And now Dr. C. W. Siemens, in a report to the Royal Society of Physical Science, in London, makes the announcement: that plants shut up in a closed room, if lighted by *electric light*, flourish quite as well as those exposed to sunlight.

To substantiate his statement, he exhibited tulip buds, and placing them under the influence of electric light forty minutes, brought them forth before the eyes of his spectators full-grown flowers. Mustard, bean, cucumber, melon, and other quick-growing seeds developed in the same proportion.

It thus appears clearly, that electric light, if properly applied, can

be made to do the same duty for plants as sunlight, and that plants can thus be made to grow and develop in night as well as in daytime, — another instance of the wonderful subjugation of nature unto man.

The *rationale* of this purification of the air by trees, flowers, and blossoms of trees is thus explained by Robert Hunt, in his "Researches on Light": —

"It is only the green parts of plants which absorb carbonic acid: the flowers absorb oxygen gas. Plants grow in soils composed of diverse materials, and they derive from these, by the soluble powers of water, which is taken up by the roots and by mechanical force carried over every part, carbonic acid, carbonate, and organic matters containing carbon. Evaporation is continually going on, and this water escapes freely from the leaves during the night, when the functions of the vegetable, like those of the animal world, are at rest, and carries with it carbonic acid. Water and carbonic acid are sucked up by capillary attraction, and both evaporate from the exterior part of the leaves.

"There is no reversion of the processes which are necessary to support the life of a plant. The same functions are operating in the same way by day and by night, but differing greatly in degree. During the hours of sunshine the whole of the carbonic acid absorbed by the leaves or taken up with water by the roots is decomposed, all the functions of the plant are excited, the processes of inhalation and exhalation are quickened, and the plant pours out to the atmosphere streams of pure oxygen at the same time that it removes a large quantity of deleterious carbonic acid from it. In the shade, the exciting power being lessened, these operations are slower, and in the dark they are very nearly, but certainly not quite suspended."

The changes which take place in the seed during the process of germination have been investigated by Saussure, and the result is this: oxygen gas is consumed and carbonic acid is evolved; and the volume of the latter is exactly equal to the volume of the former. The grain weighs less after germination than it did before, the loss of weight varying from one-third to one-fifth. This loss, of course, depends on the combination of its carbon with the oxygen absorbed, which is evolved as carbonic acid.

For the discovery that oxygen gas is exhaled from the leaves of plants during the daytime, we are indebted to Dr. Priestley; and

Sennebier first pointed out that carbonic acid is required for the disengagement of the oxygen in this process. M. Theodore de Saussure and De Candolle fully established this fact.

The experiments of Sennebier further show, that the most refrangible of the solar rays, viz., the violet, is the most active in determining the decomposition of carbonic acid by plants. Whether, however, this fact is altogether to be trusted, and, above all, whether it holds good in regard to plants of all colors, is not yet known. It is more than likely that the same colored solar rays — say violet, for instance — may operate differently upon differently colored plants.

With public squares sufficient in number, and wide boulevards and streets lined with trees, — the squares filled, besides, with flowers and shrubs, — there can be no difficulty in providing the most central part of a city with sufficient pure air to meet the necessities of every properly constructed building.

The erection of fountains and public baths in various parts of the city would, of course, still further increase its healthfulness.

PURIFICATION OF THE SOIL.

It is further necessary, that the State or the municipal corporation should provide for all cities and villages a perfect system of drainage. The ground below, as well as the air around and above us, requires continuous and thorough purification. Next to the air, the soil is the main carrier of epidemical and other diseases; and being less susceptible than the atmosphere of continuous purification, it has been considered necessary by the most experienced sanitary officials to prohibit the habitation of all underground rooms, whether cellars or basements, and to insist upon an air-tight cementing of all the walls and floors of cellars and basements.

A perfect system of drainage for a city or village must determine the number, sites, and outlets of main sewers and the branch sewer-pipes to each house. All the sewers and sewer-pipes should be laid as deep as practicable under the ground, and should be built as air-tight as possible; since it has been abundantly demonstrated that the common sewers and cast-iron sewer-pipes, without close-fitting valves, allow the penetration of the vicious gases generated in them, which thus spread from below into the houses. All sewer-openings on the streets or alleys should have air-tight valves, to admit the surface-water without allowing the escape of noxious vapors.

Arrangements should be made for the removal of the sewage and its chemical disinfection, so that it may be speedily returned to the soil to which it belongs, as its most potent fertilizer, and which in its turn is for it the most complete and final disinfectant.

Both these requirements of a good sewer-system are secured by the one now adopted and carried out in many parts of Great Britain, and should at once be made to replace our system, whereby the great rivers are generally made the receptacles of the filth of the sewers, the wretched effects whereof in London led to the adoption of the present system. So offensive had the smell from the Thames, and from the clogged-up sewers opening into the Thames become, that a general clamor arose for the abolition of all sewers; and Faraday, in a letter to the London *Times*, in 1854, was constrained to say: "The smell was very bad, and common to the whole of the water; it was the same as that which now comes up from the gully-holes in the streets. The whole river was for a time a real sewer." It was then that the present system was proposed, by means of which the sewage of all parts of London is carried far away from the city to places where it can be utilized, by drainage so deep as practically to prevent the escape of its gases through the soil.

"This vast construction comprises three gigantic main tunnels or sewers on each side of the river. These completely divide underground London from west to east, and, cutting all existing sewers at right angles, intercept their flow to the Thames, and are assumed to carry every gallon of London sewage, under certain conditions, into the river, at a certain point far below the city limits and not far distant from the sea. One of those drains is about eight miles in length, being at its rise some four feet six inches in diameter, and thence increasing in circumference as the waters of the sewers it intercepts require a wider course, until at its termination its diameter is twelve feet six inches. The minimum fall of this drain is twelve feet in the mile; its maximum, at the beginning, nearly fifty feet a mile. It is laid at a depth of from twenty to twenty-six feet below the ground, and it drains an area of fourteen square miles. The other drains, of similar vastness, are laid at a depth of from thirty to forty feet. One of the reservoirs is a mile and a half long, one hundred feet wide, and twenty-one feet deep; it is made of this great length, in proportion to width, to allow of its being roofed with brick arches, which are again covered with earth to a considerable thick-

ness, so that not the slightest smell or escape of miasma can take place. While the sewage is in the reservoirs it is deodorized by an admixture of lime. When the tide is at its height, the sluices, which pass from the bottom of the reservoir far out into the bed of the river, are opened, and the whole allowed to flow away. It takes two hours thus to empty the reservoir, by which time the tide sweeps down strongly, thus placing the contents of the sewers, every twelve hours, twenty-six miles or more distant from the metropolis."

But I do not propose that the sewage of our cities be thus lost to use, as that of London is lost. It should be carried back to the soil, and reinvigorate it for further purposes. Our own lands need every day more and more this invigorating sewage, and the cities along our great rivers need to be freed from the miasmatic influences they carry along, as it is borne on by their waters, no matter how great the disinfecting properties of running water.

Thus Prof. Liebig writes: "Of all the elements of the fields which, in their products, in the shape of corn and meal, are carried into the cities and there consumed, nothing, or as good as nothing, returns to the fields. It is clear that if these elements were collected without loss, and every year restored to the fields, they would then retain the power to furnish to the cities the same quantity of corn and meal, and it is equally clear that if the fields do not receive back these elements, agriculture must soon suffer. In regard to the utility of the avails of the sewage of towns as manures, no farmer, and scarcely any intelligent person, entertains a doubt."

Our modern facilities for transportation, and for removing all kinds of compost by mechanical appliances, should induce all municipal corporations to apply these powers to the desired object, so that the diurnal purification of each city and village should be as regular in its progress as the succession of day and night, and the vast amounts of filth of all kinds that now poison the watercourses, the fish, and the people living near river-banks, may be returned to the soil at many more or less distant points in the surrounding country.

In regard to the momentous question, how to utilize sewage in the best manner, — health, economy, and utility considered, — it would be difficult to decide which of the various methods proposed possesses the greatest advantage.

One of these methods is known as the phosphate process, and

appears, in some instances at least, to have been successfully employed. The phosphate in question is prepared by the action of diluted hydrochloric or sulphuric acid on a pulverized phosphate of alumina found in the West Indies. The soluble phosphate thus formed is a powerful antiseptic and disinfectant, and on being properly diluted and added to the sewage-water in reservoirs, where it can be perfectly tranquil, slowly precipitates all the solid organic matter held in suspension. At the same time it completely deodorizes the water, purifying it to such an extent that, it is said, fishes can live in it, and it will stand through the hot summer weather without putrefying or emitting a disagreeable odor.

Not a great while ago, a report was made by a committee of the British Association of Science relative to the treatment and utilization of sewage, in which the ground is taken that it is only by filtering this material through the earth itself that the dissolved and suspended substances, which are the food of vegetable and the poison of animal life, can be kept out of rivers and applied to the production of growths. After this straining, the liquid matter that escapes may, according to this report, be allowed to enter into the rivers without producing any of the deleterious effects that accompany the introduction of the original sewage-matter. It is asserted that light, porous, gravelly soils, and even blown sand, thus treated with sewage, furnish crops of great richness, and meadows watered with the substance yield an astonishing growth of grass, exceeding that of soils to which any other kind of fertilizer has been applied.

Quite recently, another method for the disinfection and utilization of sewage as manure has attracted considerable attention. This process consists in applying to the sewage clay treated with oil of vitriol and mixed with a little water, in the proportion of six and a half hundred-weight of the vitriolized clay to every one hundred thousand gallons of the sewage. To that mixture one and a half hundred-weight of slaked lime is added. After a few hours, a precipitation forms at the bottom of the receptacle containing the sewage, leaving a clear liquid at the top. The precipitation is the manure, and both it and the liquid are entirely devoid of odor, and inoffensive; the fluid may be used for irrigating land, or allowed to escape into the sea. To obtain this sewage regularly, the streets of every city should be swept every night, and the dirt, together with the sewage, taken to the soil of the agriculturist for its rejuvenation.

By thus keeping the streets clean, it will also be practicable to sprinkle them through the day, during the dusty season, and thereby to moisten the heated air to its normal condition, and refresh the exhausted bodies of the inhabitants. Every city should inaugurate such a system of sprinkling the streets.

The fire departments of every city, having a plentiful supply of water, can very easily extend their functions so as to effect this cleaning and sprinkling of streets. All the cities along rivers, for instance, can without much cost have their streets every day regularly washed from the water-plugs arranged for the fire-engines. As matters stand at present, people wait for a heavy rain to accomplish this. But heavy rains do not come at our bidding, and light ones only make the condition of our streets worse. It behooves man to help himself, and not wait upon the irrational forces of nature, that may send down a heavy rain when it is a positive injury, and withhold the moisture when all the earth cries for it. We must learn to control this, and provide by art against the irregularity of the action of natural forces.

The soil being, next to the air, the most active agent in spreading disease and epidemic matter, it is evident that the soil-water of cities and villages, their springs and wells, must be generally of an unhealthy character, and unfit to be used for drinking purposes. Hence public water-works are very essential for the preservation of health, and their construction and use should be insisted on wherever this is at all practicable. But, besides their great sanitary value as furnishing the best drinking water, they are indispensable for the purposes of drainage, for watering the streets and parks, and all the vegetation of a city, and for the establishment of public baths.

Gas-works, with their constant efflux of sulphureted hydrogen, should never be tolerated within the city limits; and in the laying of gas-pipes it should be seen to, that they are put at as great a depth as practicable under the ground, and made tight and secure against the escape of gas. Indeed, all factories that emit foul odors, and poison the air, should be removed far from the city and disinfected daily.

Nor should slaughter-houses be tolerated within the city, and the strictest control should be exercised over them to secure the removal of all noxious matter and the disinfection of their offal. The public health of every city demands that a rational system of abattoirs should supersede the present miserably unsystematic arrangement of

slaughter-houses, with their inevitably accompanying nuisances of soap, fat, etc.; establishments concerning which the New York Board of Health says: "It is positively asserted that more noxious gases escape into the air from this source than would result from the decomposition of human bodies if the whole island were a grave-yard." It makes one blush to reflect that these life-destroying establishments are still tolerated in the midst of large cities, when so far back as the reign of Henry VII. a petition was addressed to the king, from several parishes of the city of London, affirming that the said "parishes were greatly annoyed and distempered by corrupt air engendered in the said parishes by reason of the slaughter of beasts had and done in the butchery of St. Nicholas;" which petition called forth an enactment that "no butcher or his servant is to slay any beast within the walls of London, or any walled town in England, under a penalty."

CHAPTER V.

CONSTRUCTION OF BUILDINGS WITHIN THE CITIES.

Apart from what is above required for the city at large, a general building-law should be passed for the erection of all new buildings in the city; and another law requiring that all buildings already erected should be made conformable to the laws of sanitary science, so far as practicable.

For executing such a building-law, two classes of commissioners should be joined in a board to be appointed,— architects and sanitary officers. The architectural commissioners will have to see that the necessary architectural requirements for buildings are complied with, as to thickness of walls, strength of foundations, fire-escapes, fire-proof externally, etc.; the sanitary commissioner, in conjunction with the architect, should supervise the sanitary requirements, such as the height of the building itself, of its several stories, of its windows, and their position in regard to light and fresh air; the water-closets, and their proper connection with the general sewer; the construction of the kitchen, with reference to cleanliness, absorption or removal of all fumes, stenches, etc., and immediate removal of all offal and dirt;

the proper supply of bath-rooms; and such a system of ventilation and disinfection as the exigencies of the building may require, and as I have already pointed out to some extent in the chapter on Pure Air.

To cut off as much as possible communication between the house and the soil, the floors and walls of every cellar and basement should be made as air-tight as possible, and the habitation of cellars and basements should be absolutely forbidden.

This fact of sanitary science, namely, that the soil under the house is as capable of conducting impure air, pregnant with disease, into the house, as the air outside of the house, is also one of those circumstances that are very little known and still less heeded, even by experienced architects. Dr. Pettenkoffer remarks in relation thereto:

"Remarkable testimony as to the permeability of the ground, and of the foundations of our houses, has been given by gas emanations into houses which had no gas laid on. I know cases where persons were poisoned and killed by gas which had to travel for twenty feet under the street, and then through the foundations, cellar-vaults, and flooring of the ground-floor rooms. As these kinds of accidents happened only in winter, they have been brought forward as a proof that the frozen soil did not allow the gas to escape straight upwards, but drove it into the house. I have told you already why I take the frozen soil to be not more air-tight than when not frozen. In such cases the penetration of gas into the houses is facilitated by the current in the ground-air caused by the house. The house, being warmer inside than the external air, acts like a heated chimney on its surroundings, and chiefly on the ground upon which it stands, and the air therein, which we will call the ground-air. The warm air in the chimney is pressed into and up the chimney by the cold air surrounding the same. The chimney cannot act without heat, and the heat is only the means of disturbing the equilibrium of the columns of air inside and outside the chimney. The warm air inside is lighter than the cold air outside, and this being so, the former must float upward through the chimney, just like oil in water. It continues to do so as long as fresh cold air comes into its neighborhood from outside. As soon as we interrupt this arrival, the draught into the chimney is at an end. Any other way of looking at the action of chimneys leads to erroneous views, which have many times stopped the progress of the art of heating and ventilating.

"Thus our heated houses ventilate themselves, not only through the walls, but also through the ground on which the house stands. If there is any gas or other smelling substance in the surrounding ground-air, they will enter the current of this ventilation.

"The movement of gas through the ground into the house may give us warning that the ground-air is in continual intercourse with our houses, and may become the introducer of many kinds of lodgers. These lodgers may either be found out, or cause injury at once, like gas; or they may, without betraying their presence in any way, become enemies, or associate themselves with other injurious elements, and increase their activity. The evil resulting therefrom continues till the store of these creatures of the ground-air are consumed. Our senses may remain unaware of noxious things which we take in, in one shape or another, through, air, water, or food.

"We took rather a short-sighted view all the while, when we believed that the nuisances of our neighbors could only poison the water in our pumps; they can also poison the ground-air for us, and I see more danger in this, as air is more universally present and more movable than water. I should feel quite satisfied if, by my lectures, you were convinced of this important fact, if of none other. * * *

"Hereby the question about the origin of the gas is certainly not yet answered, and would have been left equally unsettled if we had to ask: Whence comes all the carbonic acid which is found in the ground-water? All this water is precipitated from the atmosphere, — from rain or snow. In entering the soil as meteoric water, its amount of carbonic acid is exceedingly small. By help of Bunsen's analytical tables it is easy to calculate, from the quantity of carbonic acid in the atmosphere and the absorbing power of water for this gas, that one pint of rain-water at the average temperature and barometrical pressure can contain only a very small fraction of a grain of carbonic acid; and this has been proved further by analytical experiments. But this analysis of the pump-water in Munich, which was poorest in carbonic acid, showed that it contained on an average 1½ to 1.9 grains of free gas. The ground-water at the places of examination stands about sixteen feet from the surface. It is therefore evident, that the meteoric water, which is the sole source of the ground-water, must more than centuple its original amount of carbonic acid before it reaches the wells. This much is certain: that the source of the carbonic acid must be sought for in the soil, and

for this reason the more natural supposition is, that the soil yields the gas and gives it to the water and to the air simultaneously, but naturally with greater facility and in greater quantity to the air than to the water. The sources of the carbonic acid in the soil have now to undergo a stricter investigation; the probability is, they owe their origin to organic processes in the soil."

But, furthermore, the habitation of any new dwelling within three months after its erection, though it be purified by fire in each room and in the cellar, should be forbidden, as the enormous quantity of moisture which new walls, etc., contain cannot evaporate before that time, and during its presence renders such dwellings dangerously unhealthy.

It having been clearly demonstrated, that the natural ventilation of buildings by windows, chimneys, and other vents is altogether insufficient to meet the requirements of the human body, an artificial system must be prescribed, whereby the necessary quantity of pure air can be brought into every room of each house and the impure air constantly expelled. The revolving hot and cold air furnace accomplishes this object, and ought, therefore, to be required for all large cities by the general building-law.

All buildings should be inspected semi-annually by the official architectural and sanitary commissioners, both in regard to their safety and their healthfulness, and the result published and reported; the report to specify all particulars, and to state the number of inmates, so that the overcrowding of houses and rooms, which makes proper ventilation impossible, and spreads diseases and crimes in so many portions of our large cities, may be effectively prevented.

In the erection of high buildings in cities, with many large windows of plate and other glass, external shades above the window-tops should be provided, to prevent as far as practicable the radiation and reflection of the solar rays, and avoid the increase of heat that will add several degrees to the natural warmth of summer. It has been conjectured, though perhaps without sufficient grounds, that an extensive refraction of the solar rays from plate-glass in midsummer might affect the regularity of the ebb and flow of the electro-magnetic tides, and increase the formation of carbonic acid gas in the air of a badly ventilated city; but whether these injurious effects arise from this cause or not, the fact that it increases the natural

heat of the climate in summer, is injurious to the eyes, and induces sunstrokes, should arrest the attention of the legislator.

The almost total absence of smoke-consumers in the factories, distilleries, breweries, and furnaces used in cities is another source of injury and annoyance to the inhabitants, causing the escape of large volumes of foul gases, and enveloping the place with soot and foul odors. The manufacturers using coal should be required to provide the common inventions for burning the carbonaceous particles that now escape from their furnace fires, and as much of the smoke as may be practicable, whereby they will economize fuel and promote the health and cleanliness of the citizens.

CHAPTER VI.

PERSONAL CLEANLINESS.

The air cannot be kept pure and safe if impure bodies fill it constantly with foul exhalations. Impurity is as well the cause as the effect of disease and contagion. Hence personal uncleanliness is not merely an offence to the senses, but a bodily injury; and purity of body becomes an indispensable requisite in large cities, where the bodies of men constantly jostle against each other, and the exhalations therefrom are so extensive.

Nothing will tend so much to promote personal cleanliness as the provision of pure air. Purity of one kind will excite a desire for purity in all forms. Properly laid out cities and well-constructed houses may therefore be supposed, of themselves, to secure the necessary personal cleanlinesss. But the establishment of baths in every house, and on every floor of a house where they are built for the habitation of more than one family, as well as the baths to be constructed for public use in every fourth square of a city, will tend still further to secure this necessary requisite of physical and moral health, and make special legislation on the subject superfluous. I may mention, incidentally, that bathing in water also induces a desire to drink water, and is thus a valuable agent in extirpating thirst for alcoholic drinks.

On the other hand, pure air can be enjoyed only by those persons who preserve their own personal cleanliness, and secure the most thorough ventilation of their workshops, offices, and dwellings. Heat, light, and electricity can be enjoyed perfectly only by those who inhale pure air, which gives man heat and strength from the oxygen consumed through his lungs, renewing his animal heat and power every instant of his life. For air is truly the chief nourisher in life's feast, the elemental supply that enables man to move and execute the functions and faculties of mind and body. Hence the imperious duty of the State to provide for the preservation of the purity of the air at any cost, as the element of prime necessity, absolutely indispensable to the happiness, health, and life of its citizens every moment of their existence.

CHAPTER VII.

LAYING OUT OF COUNTIES AND TOWNSHIPS.

Even the agricultural districts, where men live so far apart that the injurious influence of one body upon the other through the air is difficult of ascertainment, demand, under the guidance of modern sanitary science, some general laws whereby to secure each citizen of those districts immunity from harm, and the inhabitants of cities protection against the miasmatic poisons in the currents of air swept along from such districts by the winds.

Each county should, above all, have a complete system of drainage to purify and fertilize the soil, which, in the extensive districts of the country, is of the same relative importance as the purification of air is in the cities, and so arranged as to make the drain-water also useful in the drier parts of the district for purposes of irrigation.

Each county should next arrange a sufficient system of forest parks, or wooded lands, whereby to purify the air and water, and extend to their soil that protection which causes the tree-covered oasis to bloom forth in perrennial beauty, furnishing water, vegetation, and shade to the weary traveller in the midst of the desolation of Sahara. For the influence of such parks, with their arboreal ventilation, extends not only to the health of the farmer, but also to

the productiveness of the soil. Its sure and immediate operation in this respect has been very effectively illustrated on our Western plains, where, by the judicious planting of trees, vast districts have been reclaimed for agriculture that were formerly considered irredeemably unproductive. And as the waters of the Alps have brought under cultivation the once arid plains of Northern Italy, directed thither by skilful engineering, so might the heavy snows and rains that fall in the Sierra Madre, instead of being allowed to swell the floods of the Missouri, and of the other great rivers south of its source, and bring destruction to their rich bottom-lands, be used to assist in irrigating the vast barren districts that extend from the mountains eastwardly. Combined with the influence of the trees now being planted on those plains, the waters from the Rocky Mountains, directed by science to effect irrigation, would cause them to bloom forth into a paradise of vegetation as if by magic.

To obtain this necessary arboreal ventilation and protection for every part of the country, a public park of one hundred and sixty acres should be laid out in each section of six hundred and forty acres of land, and each road in the county should be laid out with a double row of trees on each side, the supervision of which might be assigned to the agricultural schools of each county. The parks could be stocked with all kinds of singing and other birds that protect the trees, gardens, and fields against insects and vermin. The soil of the parks could also be sown with grass, and various kinds of grazing animals be admitted to lend additional charms to the landscape.

If at all possible, — and a judicious system of canals in every State would make such a contrivance quite practicable, — each county should also be provided with a sufficient sheet of water, stocked with various productive and healthy fishes, to furnish food to the inhabitants and purify the water. These artificial or natural lakes would add materially to the health of the neighborhood, by moistening the air and absorbing on its part the impurities of the atmosphere.

Such a system of parks, trees, and lakes would clothe the whole landscape with rare beauty, and cause it to breathe forth sweetness, fragrance, and health. Nor should the system be confined to the counties. Besides these county parks, it would be recommendable to set aside in the several States, wherever it is practicable, a more extensive tract of forest grounds, such as is now proposed for the

State of New York in the Adirondacks, with their more than eight hundred thousand acres of a magnificent forest, that secures to the beautiful Hudson its perennial flow of waters, and sweetens every current of air that sweeps over it, and such as Congress has secured in the magnificent park of the Yosemite Valley, for the common recreation and enjoyment of the American people.

Congress should also grant lands for State parks, one or more in number, to the new States and to the Territories, for the use of the people of each State and Territory forever. Congress should also grant to the same States and Territories, for the use of the agricultural schools, three by three sections of land in one tract in each county for the establishment, use, and support of agricultural, mining, mechanical, and other schools, to be devoted to such purposes forever. There should also be reserved six sections of land in each township of thirty-six sections for the support of the other schools, colleges, and universities proposed to be established in this work, so that a permanent endowment may be created for public education for all time to come.

By such a system of parks, etc., — more especially if it is accompanied by the planting of the eucalyptus, the myrtle, and other odorous flowers in swampy localities, trees and flowers that destroy by their absorption of malarious and carbonic acid gases, and remove by their exhalations of oxygen, all the impurities of the air, — the malarious diseases, now familiar to agricultural districts, will be gradually subdued, a greater evenness of temperature gradually secured, and all nature placed under additional control and direction by the science and art of man.

Grand forest parks will break the violence of storms, inhale as it were the surcharge of electricity from the clouds and the impurities of the air, and while feeding on these exhalations and those of the water, restore to all forms of life the pure oxygen for vitality. By means of this arboreal and floral ventilation and purification of the air of rural districts, the inhabitants of all cities near them will be furnished with pure, invigorating air, while the aspect of all the fresh life of the trees, plants, and water will irradiate in every direction new sensations of pleasure, of enjoyment, and of health.

The comparatively new country composing our republic is still only sparsely populated, and amply large enough to furnish its present and future inhabitants, for many years to come, with room in all

villages, cities, townships, and counties for the introduction of all sanitary safeguards herein proposed for the preservation of the purity of the air, the food, and drinks consumed by the people, and to furnish them the means for recreation, amusement, and physical development.

CHAPTER VIII.

PURE FOOD AND DRINK.

To provide, furthermore, all other kinds of food and drink for the human body in their natural condition of healthful purity, the legislative power in each State must regulate —

1. The sale of all food and drinks consumed by man, so as to secure them to the consumer in their unadulterated purity.

2. The preservation of the health of all animals, birds, and fishes, and the soundness of all vegetables consumed by man.

In the primitive condition of man, each individual furnished himself his own food and drink, and legislation to secure men from adulteration of the articles of diet was therefore unnecessary. But as men began to divide occupations and professions among each other, it became necessary that measures should be adopted to secure to the purchasers the purity of their food and drinks. The practice of adulterating the various articles used by men for consumption has indeed been carried to such a point, and is productive of such disastrous results in the spread of disease and crime, that the most stringent legislation has become necessary.

In every community, therefore, a board of inspectors, composed of men sufficiently educated in the necessary chemical and other studies to qualify them for the office, should be appointed, and intrusted with full power to supervise all markets and other places where those articles are exposed for sale; to supervise all slaughter-houses, and examine into the healthy condition of all animals intended for consumption, and also into the processes of fattening and feeding the animals, so that all vicious methods of using distillery-swill, malt-mash, still-slop, and other deleterious diet may be abolished. They should also report the manner in which the animals

are brought to market, and see that they do not become diseased by being crowded into unventilated cars, or by being driven beyond their strength, or by cruel treatment, or deprivation of food and drink on the way. Few persons have any notion of the enormous proportion of diseased meat brought to market under the present loose system, where the owner of the cattle conspires with the rail-road people to crush as many sheep or cattle into a close car as the space will allow, without suffocation.

These commissioners should also prepare game-laws, and laws regulating the introduction of productive and healthy fish into the different rivers, canals, and lakes of the State.

They should also have power to inspect all liquors, wines, milk, alcoholic and other drinks consumed by the people, before they are offered for sale, at such times as may be deemed necessary, to prevent the poisoning or adulteration of drinks; and likewise to inspect all drugs and medicines, so that none but pure articles may be put up for sale.

They should also provide pure vaccine matter in proper quantities; examine wells and water-works, and report on the condition of the water, after submitting it to all usual tests.

CHAPTER IX.

CONCLUDING REMARKS.

It may appear to many, at first glance, rather too critical that I should enter into these minute details of sanitary regulations in a book on law and government. Let any one go to the Five Points, or along Baxter Street, of New York, and scent the vicious gases that arise from every house and alley, filling the streets with poisonous odors and exhalations, and he may realize how utterly futile must be every effort to reclaim the human race, and lift up those human wrecks from their debasing physical condition, unless such measures as I have proposed are adopted and carried out in their minutest details. Let him enter their terrible tenement-houses, and note the haggard faces, drooping bodies, and eyes that glisten

with vice in proportion as they have drawn in the reflection of vice and impurity on every side in these miserable rooms! Let him go next into the wealthier parts of the city, and smell through every water-pipe of the closet, the bath-room, and the wash-stand the same diseased smells of Five Points and Baxter Street; breathe in every breath of air the same foul, curse-laden atmosphere, and he may realize the claim of one human being to be protected against the poisonous exhalations of another! Or let him enter our street-cars, our coaches, our railroad cars, with their closed windows shutting out the pure air of God, and forcing rank poison down his lungs!

The new civilization cannot come or show itself except through healthy bodies, ruled by healthy minds; and we cannot get health except through purity. Purity of air, of food, and of drinks will give us that physical health which, both strengthened by and supporting mental and moral purity, can alone raise our race to the high perfection which lies within its reach. The impurity of food and air has so accustomed men to impurities of all kinds, that chastity has almost become a reproach, and men plunge into vice as naturally as into a foul-scenting atmosphere, or as they eat the diseased meats and the decayed vegetables sold in the market-places.

It is to remedy this state of things in its first and most immediate appearance, that the inauguration of such a sanitary system as I have described becomes the first duty of the law-maker. I well know that of recent years steps have been taken to secure this object. Nay, even a national public health association has been organized to effect some of the measures herein proposed. But all these efforts have been merely sporadic and partial; and even in Germany, where, during the past few years, the science of public hygiene has at last been recognized as entering into one of the most needful departments of State government, and been cultivated to an extent beyond that of any other country, a thorough and sweeping reformation has not yet been effected.

An amateur national health society is not what we need, but a sanitary department in each State government especially for this branch of the public service, which should collect all the statistics that are still wanting in relation to the laws governing the dissemination of diseases and epidemics, and the hygienic and sanitary measures whereby their propagation can be arrested; showing also the influence of all the various kinds of food and drinks, occupations,

recreations, and habits of life upon the happiness, civilization, and health of the people, with ample powers to enforce all the regulations necessary to carry out its beneficent objects.

Nor should it be forgotten that the sanitary measures recommended in this work would not only check disease and crime, eradicate hereditary ailments and infirmities, but would also beautify, adorn, and utilize nature everywhere. Let any one picture to himself a city such as I have described, with every fourth square a public park, with forest shade-trees, public baths, and fountains of pure water for drinking; every fourth street a grand, airy, clean, and shaded boulevard, having double rows of shade-trees on each side and in the centre, and all the other streets with single rows of shade-trees on each side, — the houses exhaling freshness and cleanliness, the impure and miasmatic gases and vapors being carried away and disinfected by the currents of fresh air continually rising as it becomes rarefied, — and then look at our present cities, with their utter want of arboreal beauty or cleanliness, their narrow streets, their blind alleys, their smoking furnace-stacks, and their ill-constructed houses, emitting the most deadly poison every morning, when the surcharge accumulated during the night seeks egress! Life can be made very beautiful, but it is the law that must furnish the first condition, by compelling the selfishness of man to yield up ample spaces on the surface of the earth for arboreal ventilation and air purification, so necessary to preserve the health, happiness, and strength of the people.

One would suppose, from the way in which our cities and villages are laid out and our houses are built, that there is not a sufficient supply of land in the republic to furnish the inhabitants room to draw one breath of pure air. When thieving despots had full sway, when tribes, races, and nations were continually at war with each other, the cities were diminished in extent as much as possible, and surrounded by fortified walls; but now the improvements in the implements of war render such obstructions of no avail against well-appointed armies, and the fate of nations is determined by conflicts in the open field. It will, I hope, no longer be necessary to crowd the inhabitants of cities and villages within narrow limits and massive fortifications to protect them and their property from marauding and plundering emperors, despots, kings, dukes, or other military robbers. I believe that a new era is dawning upon the enlightened

nations of the world, an era of Liberty and Law, united in their synthesis of political justice, wherein States may be founded and cities built upon rational principles of sanitary science, and the inherent right of each citizen to pure air, pure food, pure drinks, and healthy recreation will be protected and enforced by the laws of each State in all federative republics.

It has been objected that these necessary sanitary improvements will be very expensive. Can we not afford to be healthy, pure, and happy, when all the means to become so are, as it were, in our own hands? Such parsimony, that would rob the people of all that is valuable in life on the score of economy, is fitly coupled with that prodigality which has led Congress to give away to railroad monopolies over two hundred million acres of land belonging to the people of the United States.

The great difficulty seems to be, that while this public demand for sanitary legislation is split up upon numberless subjects, my sanitary code embraces them all. The city resident clamors for ventilation of the dwelling-houses, for clean streets and a good sewerage system, and in so far agrees with me; but is amazed when I propose to apply the same principles of sanitary laws to the open country, by means of forests and irrigation, by cleansing the air, controlling the weather, and purifying the soil. This he considers visionary, or, at any rate, despotic. The farmer, on the other hand, cannot reconcile it with his notions of individual freedom, that the law should prescribe certain rules for the building of houses in the cities, so that they may not engender and spread diseases. Hence a systematic sanitary code, like the one I have suggested, appears oppressive. The preservation of the public health and of the fertility of the soil is looked upon as a matter that should be left to individual effort, although the experience of thousands of years has shown conclusively that any general result can be obtained only by united action. Besides, each person thinks only of his immediate self-interest. If he owns a valuable forest, he is not likely to be restrained from cutting it down and selling the lumber by fears that future generations will suffer from the effects of his acts; and even the farmers of our prairie lands are too careless or parsimonious to plant trees, and will not do so unless they can see immediate results and benefits. Even positive and great suffering will not prevent the destruction of, or induce the planting of new forests. We complain about grasshoppers, and the devastations

which they bring upon our treeless lands of the West, as the locusts devoured the grain crops of Egypt after the fruitful lands east of the Nile had been changed into deserts by wanton destruction of Syrian forests, and yet we do our best to multiply the insects by devastating our forests.

Our governors set days apart for general prayers, supplicating God that we may be delivered of this plague; and whilst some of us follow the invitation, and petition the Almighty to destroy the insects that threaten starvation to our fellow-men in the West, others employ the same day to slaughter the birds that would destroy the insect hordes, without petition to Divine Providence.

Hundreds of thousands of prairie-hens, sage-hens, quail, snipe, and wild birds are shot every season for the mere sport of the thing, and these hundreds of thousands of birds would feed upon millions of the insects we pray to be delivered of.

We speak about starvation, lamenting the days when from his log house the farmer could shoot the game he needed for his day's dinner; and whilst we pray that we may be delivered from famine, we do our best to provoke it by permitting the useless killing of birds, ducks, geese, deer, and buffalo, and allowing the numberless streams that water our country to diminish and stagnate from want of arboreal protection, instead of exerting our energy and invention to enlarge and purify their waters and fill them with life-supporting fish. For, beneficial as has been the recently established system of introducing new fish into our countless rivers, that system must break down of itself if the rivers are allowed to run dry from want of sufficient arboreal protection.

When we reflect upon this pitiless war against nature and man's highest hygienic interest, we feel almost tempted to wish back the times of old Persian tradition, when the followers of Ormuzd, the God of Light, carried on their warfare against Ahriman, the God of Darkness. For it is said of them that when they took the vow that bound them to the service of Ormuzd, they engaged themselves to battle untiringly against all the works of darkness upon the earth. Every obstruction to its fertility and beauty must be removed. Where death-exhaling swamps met their eyes, they planted myrtle and gum trees to convert them into vitalized arable lands. Where they found weeds and poisonous plants they plucked them out, and thereby purified the soil as well as the air and the watercourses. In

short, they tried to cultivate desert districts as laboriously as we try to turn our fertile regions into unproductive lands. In other lands, shelter and protection are freely offered to the sweet-voiced and merrily chirping birds that feed upon the insects which destroy the farmer's corn; we do our best to exterminate them. Now, stringent game-laws, combined with the establishment of a one-hundred-and-sixty-acre park in every section of land, would afford these most useful friends of the farmer and sweetest companions of man abundance of shelter. Let us, then, have such parks, with beautiful trees, small droves of mild-eyed deer, flocks of singing and other birds, and ozone-exhaling plants, — such as the clove, the lavender, mint, fennel, narcissus, the lemon-tree, the heliotrope, the hyacinth, and the mignonette, — and each inhabitant of that section will have the enjoyment of as fine a park as the proudest English lord can boast of. Beauty, health, and economy will go hand-in-hand together to promote a higher enjoyment of man's life.

It is but just to say, however, that not all our States are equally vandals in the destruction of the productiveness of the soil. Take, for instance, the State of Nebraska, which has set apart one day of the year, called "arbor day," especially for the planting of trees, — offering a handsome premium in money to the farmer who on that day sets out the greatest number of trees. Then there is the State of Kansas, which also offers a bounty to those farmers who grow and cultivate forest trees for a specified number of years. Colorado has also done already some small things in the way of converting unproductive into fruitful lands by means of irrigation. And lest I should be accused of exaggerating the dangers to which I have referred, I beg leave to quote a few passages from a report made by Cyrus Thomas, president of the Normal Institution of Illinois and member of the United States Entomological Commission, to Dr. Hayden, of the world-renowned Colorado Survey Commission. After dwelling upon the necessity of increasing our watercourses, especially in the Western plains, he says: —

"This discussion touches upon a great underlying fact, upon which the principle here involved depends. It is, that the entire inhabited world is growing dryer; that already in our own country this is becoming evident, in spite of the opinions and assertions to the contrary. Man, by his folly, is assisting largely in this work of lessening the argricultural value of the farming lands of this

country and of the world. A recent article in the *Science Monthly* sets forth vividly the effects of thus denuding the land of forests, showing that the vast areas on the eastern continent, once as fertile as the Mississippi Valley, are now barren and arid, sending forth its swarms of hungry locusts to prey upon the remaining fertile spots. But the destruction of timber is not the only cause of this change: the draining of marshes, ponds, and lakes, exposing to the sun the myriads of little rills to be dried up, thus contracting the evaporating or water-surface, has been one important factor in producing the result we see. Suppose that Congress and the Minnesota Legislature, not willing to sanction the continuance of the thousands of lakes in Minnesota, as they require the roads to bend, bridges to be made, or barriers maintained, should go to work and drain them, what would be the effect? It would be but a short time before the western part of that State, the south-eastern part of Dakota, and the northern portion of Iowa would be as arid as these Western plains. Illinois and other Western States are already beginning to feel the effect of this unwise policy of draining all our swamps and confining the water to its narrowest limits; the rainfall is more uneven, and the substratum once reached by shallow wells is sinking lower.

"The true method is to stay this foolish policy, protect little rills with bordering shrubbery, expand as much as possible the water-surface, so as to increase the evaporation. The more and the larger the lakes and reservoirs we can make on these plains, the better. The cost is the great, the only real difficulty in the way.

"Allow me to say, in closing, that I have no axe to grind in this matter, my object being to call attention to this important subject, which Congress must sooner or later take hold of. If some better or more feasible plan can be suggested, I shall be glad of it; but certainly Mr. Elliott fails to meet the demand. It is less expensive, it is true, but then it entirely fails to accomplish the object proposed, even admitting all that he claims for it."

There is not a sentence in this that I cannot fully indorse. These few passages, if carefully studied, will be found to contain the whole science of private and public ventilation.

Napoleon, clear-sighted on this as on every practical subject, understood the importance of this subject of forestry quite well, when, in 1808, he prohibited the felling of timber on the Rhine; though little dreaming then that within some sixty-odd years Germany would reap

the benefit of his measures by the reannexation of Alsace and Lorraine. But the benefits are quite visible now, just as the benefits of introducing the eucalyptus trees on the Algerian plains are felt by every inhabitant and traveller, and just as, under our own eyes, we can see on the island of Santa Cruz the doom that awaits our lands if we keep on in our work of eradicating from its plains the noble gardens of God. Twenty years ago that island, covered by magnificent forests, was one of the most fertile regions of the globe; to-day, shorn of its glory, it is a desert.

As Gen. James S. Brisbin, of the United States army, who has given this subject great attention, expresses it: —

"The United States should make appropriations and foster the replanting of forests. Congress should enact strong laws for the protection of timber on the public domain, and we should have a commissioner of forestry. Overseers of roads should be made to plant trees along the highways, at the public expense. Railways should be compelled by law to plant trees along the whole of their lines, on either side of the track. We cannot in one, or even two generations, undo all the damage that has been done, but by beginning at once we may still be able to avert a timber famine in the United States."

Every year we use over one hundred and sixty millions of wooden ties for our seventy-one thousand miles of railway, and these ties must be relaid every seventh year. Our locomotives now consume more than twenty thousand cords of wood per day, and this consumption is steadily increasing.

The rail fences, which our farmers will still erect in place of hedges, consume still greater quantities of wood. Most of our fences, indeed nearly all, have to be furnished out of our forests, in spite of the expense; for we have to pay out $98,000,000 every year to repair all the fences in the United States, the present value of which is estimated at the enormous sum of $1,800,000,000.

To furnish all this wood we strip every year more than eight hundred thousand acres of forest lands alone in the three States of Wisconsin, Michigan, and Minnesota, at which rate all of their forests will be swept away in about fifteen years.

In the whole United States there is now left only one really fine untouched belt of timber: that which covers about one-half of Washington Territory and one-third of Oregon; and even that belt, with

its magnificent yellow-fir forests, — many of the trees reaching a height of three hundred feet, — is beginning to disappear. China and Japan have already made inroads upon it, and within less than half a century (should the present destruction continue) it will be another desert of the Sierra Nevada slope.

California has now left only some three hundred and fifty thousand acres of her grand woodlands. Happily, however, her people have already awakened to a knowledge of their past folly, and are endeavoring to repair it as much as possible by cultivating the eucalyptus tree, the health-giving myrtle of Australia, which should be cultivated over every section of our country south of 36° 30′ north latitude, and especially in the marshy districts, since no other known tree so readily absorbs all the miasmas of the atmosphere and breathes them out again purified, as pure oxygen and magnetic oxygen, or ozone. No tree, indeed, is better adapted for our Southern soil and climate than this Australian importation. It grows rapidly in any mild climate, reaching a height of from thirty to forty feet in ten or twelve years, is beautifully shaped, and covered in spring with a magnificent crown of blossoms. But what is of infinitely more importance is its medical quality as an infallible remedy against malarious fevers. Not only do the pulverized leaves, taken internally, effect a speedy fever-cure, but the very atmosphere exhaled by the tree operates like quinine. It absorbs the moisture of swampy lands like a sponge, and purifies the air from all malarious matter. About one hundred years ago the Jesuits brought it to Europe, and planted some in the Roman Campagna. A large number were planted on the lands of the celebrated cloister, St. Paul, and in a few years all signs of fever had disappeared. Fifteen years ago a number of those trees were planted in some of the swampy and feverish districts of France, with the same result. The useless and death-spreading swamps are now blooming forests and fruitful fields.

In the East the destruction of timber has been still more enormous. New York State has lost nearly all its beautiful maple, beech, pine, hemlock, walnut, and hickory forests, so that now only the Adirondack woods and a portion of the Catskill forests are left it; and the Allegheny Mountains of Pennsylvania and Virginia are shorn of the magnificent verdure that, like a woman's hair, so adorned the beauty

of their ranges and peaks, that their glory has spread over the whole world.

And what are we doing to stay this vandalism? As good as nothing.

Our increase of forests from planting is less than one million acres annually; the decrease, from all causes, is over eight million acres annually. Chicago alone consumed in 1871 the wood of ten thousand acres, nearly, for fuel.

This fearful waste of timber is still further increased by the ravages of fire. In the decade 1860–70 over twelve millions of acres of wood were burned down *wilfully*, for no other purpose than to "clear" the land; and thousands of square miles of timber-land are destroyed almost every year by *accidental* fires.

In consequence of this immense devastation of forests, the Potomac has already lost a quarter of the volume of its waters; the Hudson, a sixth; the Connecticut River, in former times quite navigable, is now barely a rivulet; and the Oswegatchie, emptying into the St. Lawrence at Ogdensburg, New York, which formerly had water-power enough to run one hundred mills, now barely can keep ten in operation during three-fourths of the year. Even the great Western waters, the Mississippi and the Missouri, show already indications of a steady decrease of the volume of their waters.

But the trees discharge a twofold function in the absorption of water. Wherever the soil is too damp, it evaporates its superfluous water through the trees in immense quantities, the roots drawing up the humidity of the soil even from deep springs, and sending it through their branches and leaves to sweeten and purify the air. When, on the other hand, the atmosphere is overladen with moisture, the forests suck up the rain-mists, and in this way greatly check freshets and overflows of waters.

This explains why, in woodless regions, long seasons of drought are suddenly followed by violent rainfalls, such as caused the freshets that some years ago worked fearful destruction in the river valleys of Pennsylvania and Ohio.

This explains also why damp regions require forests to dry them, whilst dry regions need woodlands to bring them the moisture for which they are parching.

The same trees that drain the swampy lands of Illinois would assist

in irrigating the desert plains of Colorado. The same trees, that would in ordinary seasons supply the Upper Missouri with a sufficiency of water, would in times of great rains or snow-melting prevent disastrous freshets and overflows.

I have confined myself, so far, mainly to the vindication of my sanitary scheme in its application to the open country; more especially as the purification of the country must act with equal benefit upon the cities, and keep them free from the malaria which is now brought to them by the winds, and increasing the foul air which they generate themselves. But the main reason why I have spoken more minutely of sanitary legislation for the open country is, that its necessity for the cities is already pretty generally conceded, though not nearly to the extent required. Nor will a sanitary system for cities ever effect the results aimed at until my system of public parks and fountains is made a permanent part of it. Sewers will do a great deal to keep the soil of cities free from disease-spreading matter, and ventilation will do much to keep the dwellings supplied with fresh air; but without a sufficiency of trees, neither the soil nor the air can ever be thoroughly purified. I may add here what I have already suggested in referring to the forest parks of the country: that great assistance in the purification of the air can be derived from certain trees and flowers. This is of special importance to the inhabitants of cities, as every house can thus be constantly purified at scarcely any cost; while at the same time that the lungs inhale with delight the fresh and electrified atmosphere, the eye will be charmed with the beauty of the plants.

But there is still another branch of sanitary legislation, which every year becomes more important, as our railroads extend, horse-cars are introduced, and travel consumes more of the time of our people. This novel branch is the establishment of sanitary legislation for our public vehicles, railroad cars, horse-cars, etc. At the first glance this may seem to be an insignificant feature, but this it is by no means. Let it be considered, for instance, that the people of the United States spend every year over one billion hours in these cars. One thousand million of hours of human life is equal to one hundred and fourteen thousand years of that most precious of all boons; and these one hundred and fourteen thousand years are exposed every year to a condition of atmosphere far more deathly than the risks that attend railroad-travelling from other causes. Collisions and running

off the track are mere accidents; it is a pure chance whether they will occur or not, and if they do occur, whether they will kill or not. But the filthy atmosphere of the cars is not an accident. As the cars are constructed now, it is of necessity an inevitable destroyer of life, to which you voluntarily submit yourself when you enter the car. For the so-called accidents you can get accident policies; but, seeing that those accidents occur so very seldom, an accident policy is really of no use. But you cannot obtain a policy to reimburse you for the amount of vitality you lose by the foul air which you inhale in the cars during your journey.

The normal ratio of carbonic acid, which expression involves all the foulness in the atmosphere, is but 0.035 per cent in the fresh air. Whenever the percentage reaches 0.06, the air is unhealthy and begins to grow dangerous.

Compare with these figures the fact that thirty-five analyses of the atmosphere in railroad cars, which were undertaken in Massachusetts, gave as result: Ratio of carbonic acid in smoking-cars 0.228, in regular cars 0.232 per cent, or nearly forty times the amount beyond which the presence of that gas is seriously injurious to health. To reduce this 0.232 per cent of deathly gas to the minimum of 0.06 per cent, it is necessary that a car containing sixty adult passengers should be furnished every hour with at least two thousand cubic feet of fresh air.

Is not this, therefore, a proper subject for the interference of governmental legislation? It is true that the "Car-Builders' Association of the United States" has already given this subject its consideration, and at its last annual convention in New York passed resolutions in regard to the matter, urging a proper system of ventilation for railroads. But we know well what such sporadic resolutions mean. The only effective means to bring about the required reform lies with the law, which takes the subject from individual inclination to general necessity.

For if sanitary legislation is incompatible with individual freedom, then let us abolish all our sanitary boards of health, all our laws for the cleaning of streets and alleys, for the removal of dead animals, for the establishment of slaughter-houses, and for the erection of sewers; let the druggist sell poison in any quantity to any customer who asks for it; let us repeal all laws for the inspection of boilers, and all our building-acts. In short, let the

government, in carrying out its duty to protect the life of its citizens, confine itself to the primitive interpretation of that duty, as current amongst the rudest tribes of men: to protect that life simply against the direct assault of other individuals, or against murder.

But if our government has passed beyond that primitive state, and if it has any authority to exercise the functions which I have just mentioned, then let us not stop at the patchwork of sanitary legislation which we have in fragmentary efforts for several disconnected parts of our country, but contrive a complete system of such legislation for the whole United States.

I may add, in conclusion, that my system of Public Hygiene rests on the principle, that the State and Federal governments alone have the power to enforce laws to preserve the public health, and that nearly all diseases to which the human body is subject are preventable. I will close this chapter with some quotations: —

Dr. Simon, the most distinguished of all European sanitarians, says, for instance, that "the preventive power which we possess over disease is among the happiest possessions of science. Scientific and professional men are studying the sickness and death rates of communities, and are applying the results of inquiries to discover or lessen preventable diseases. Diseases induced by some specific body, or by anomalies in the quantity or quality of food, or as the products of vegetable and animal decomposition, or specific emanations from the body in a state of disease, are preventable." Another, almost equally as high in rank in sanitary science, Dr. Tanner, says that disease and untimely death result not from necessity, or from chance or accident, but really from the infringement of those laws and conditions on the due observance of which the Creator has decreed that the health and welfare of the various organs of the body depend.

Dr. Rush writes that the means of preventing pestilential fevers is as much under the power of human reason and industry as the means of preventing the evils of lightning or common fire. So satisfied was he of the truth of his opinion, that he looked for the time when our courts of law should punish cities and villages for permitting any of the sources of bilious or malignant fever to exist within their jurisdiction. Florence Nightingale truly says there can be no stronger condemnation of any town than the outbreak of fatal epidemics in it.

PUBLIC EDUCATION.

CHAPTER I.

RELATION OF MORALITY AND LAW.

The conception of law has a twofold peculiarity. It is that of a power and knowledge that lies wholly beyond nature; for nature has made no provision against the interference of one man's freedom and activity with the freedom and activity of the other, but leaves to man every possibility of killing, injuring, and checking the freedom of his fellow-man.

Nor is the conception of law that of a moral force; for the moral law, manifesting itself as a command to realize the highest good and happiness, addresses itself to each member of the moral world with categorical necessity and in perfect harmony. All men have the same common moral, as they have the same common physical world, so that the moral acts of all necessarily and of themselves harmonize into one. The moral law, therefore, does not need the conception of right or wrong to enforce itself, and were its rule established, the power of law would be no longer necessary.

But the moral law cannot manifest and enforce itself except in beings that have already developed themselves into freedom and morality; and it is this that gives rise to the conception of right and law as the intermediate force whereby men are to be enabled to develop their freedom, under the law, to a degree that shall make possible the supreme rules of morality.

It is this moral law, this world of an absolute and universal good, that each individual should aspire to realize in his own person, and in the subduing of all evil, with its consequent physical ailments; and it is only in thus subjecting himself to the greatest good that the

individual first becomes truly free, giving highest form of expression through his works to the inspirations drawn from it and the intuitions of its grandeur, truth, and beauty. It is thus, through a system of individual moral beings, that the highest good is reflected in an infinite manner from different stand-points of beauty, and that within His one world of unlimited glory God has created infinite universes through the different mirrorings, translations, and intuitions of each individual: every monad reflecting in a new, beautiful way the glory of the highest. It is thus from the divine fountain of love and goodness endless inspirations of beauty and truth ripple forth with circles of wondrous perspectives, evermore extending the power of the human mind for the attainment of its highest destination and its greatest good and happiness.

CHAPTER II.

THE RIGHT TO REST.

It is through law that man is to rise to this state; the law is to be the intermediate agency between man's primitive natural condition and his ideal as a fitly and harmoniously developed exponent of the highest good, or as a completely free being; for in complete freedom this highest good finds its expression. This freedom he aspires to attain; to secure it, and for no other purpose, does man establish law and a State organization, and no State organization has any claim to be tolerated which does not provide for securing this freedom. No man to whom the means of realizing this, his destination, are denied by a State, is bound to obey it; the State not having respected his rights, he cannot respect it.

In wisest forethought, the great legislator of antiquity, Moses, set apart one out of every seven days for the purpose of securing time to worship God and to attain moral culture to even the meanest of slave-laborers; and it is a disgrace to our age that we are not yet further advanced, and that countless men and women are still forced to work at all hours, so that night brings no leisure for the development

of their higher natures, and Sunday scarcely a few hours of time necessary for physical recreation. Nay, in how many manufacturing districts are not even young children thus locked out by slavish labor from development and education!

The State should, by law, establish a minimum quantity of time, to be secured to children and adults respectively, for the development of their higher natures and the exercise of their real freedom. It is the time thus secured which really establishes the true wealth of a man. Not in proportion as he has gold and silver coins, or paper tokens of wealth, but in proportion as he has time for the culture and exercise of his true freedom, should a man be classed wealthy. His deeds of freedom are his riches; every additional hour of leisure from mere toil, every hour of spare time wherein to work out his individual share in the attainment of the highest good and happiness which a State can make accessible to its citizens, increases in that proportion the wealth of the State. It is, therefore, a contradiction of the end and aim of a State organization when a State counts itself rich because its citizens, by slavish toil, produce or manufacture to exorbitant degrees. It is the relief from such inordinate toil that constitutes wealth.

In an unconscious sort of way this truth has manifested itself in various labor-movements, both here and in Europe; but it is a truth which should not be rendered abortive by crude advocacy and the one-sidedness of a class, but which the State itself should announce as the fundamental principle of its laws governing labor, money, and property.

Since Sunday is by the great majority of the people of the United States recognized as the fit and appropriate day for such rest, the law should make that day sacred to rest, instruction, and moral contemplation by forbidding absolutely all kinds of labor; so that not a single one of the citizens may have reason to complain that he has not time for the cultivation of his higher faculties and nature, of his social qualities, and for the recreation of his mind and body.

CHAPTER III.

THE RIGHT TO SCHOOLS.

It is not sufficient, however, that the State should provide the requisite time for the attainment of culture: it must also provide the means necessary to realize this; whereby the State will attach all its citizens to a pure obedience to the laws, and prove that the government established to secure the greatest good, happiness, morality, intelligence, wisdom, and perfection of its citizens is the best and surest friend of each person in the State. In this way will each one learn to love the law, which affords him such absolute protection, and secures him in the enjoyment of all his rights and the development of all his faculties.

These means are schools, institutions for the harmonious development of all our faculties to the utmost possible perfection, and of clear insight into all the problems of life, so that the darkness and superstition accompanying ignorance, which are the main obstacles to the development of man's freedom, may be forever swept away from the face of the world.

CHAPTER IV.

THE NATURE OF EDUCATION.

Everything moves by law; as in the physical, so in the intellectual and moral world: both worlds in perfect harmony and accord. It is the chief task of education to awaken and cultivate an insight into this lawfulness of all phenomena, so that the world of mind and inner soul may no longer seem to clash with and oppose the world of nature, but be found to move to the same measures and tunes, and that the smallest event in the physical world would be seen to fall into perfect harmony with the plan and events of the moral world. Thus the world of nature will no longer appear man's antagonist, but his friend and home, as it has not yet been in any age, and develop supernal radiance as expressing, under man's constantly extending

control and dominion, the wonders of the intellectual and moral universe, which the people of former ages believed were hidden by nature; while, on the other hand, the creative power of the intellectual and moral universe will illumine all with new and ever-growing and varying beauties, — even as the body of man is beautified by his moral and intellectual nature in the progress of civilization, making the body and mind of the civilized man of culture reflect the glory of the divinity with infinitely greater splendor than it is ever seen in the body and mind of the uncultured savage.

Thus, in the studies of mathematics, physics, natural history, and medicine the teacher will develop a knowledge of the manifold phenomena of nature, point out their separate laws, and the harmony and correlation of those laws, and show how all laws have been provided for by the phenomena in an absolute intelligence, and continue so to be provided as new orders of phenomena are made known and present themselves for classification.

In the studies of history, geography, politics, law, social science, and philology the teacher will, on the other hand, point out in the course of human civilization, with all its attainments in art and culture, the proportionate growth of the highest good and happiness, and how it moves in rhythmic movements and symmetrical proportions towards the establishment of its ideal.

Finally, in the study of philosophy, the science of all sciences, the teacher will teach the source of all knowledge in an examination of even that knowledge itself, its nature and condition, thus making known the source of all truth, since all truth is a knowledge and the fountain of the fundamental principles of each special science and branch of knowledge. In this highest of all sciences the last veil shall fall from the mind of the scholar, and the whole universe appear to him in full clearness.

But the teacher is not only to unfold to the intellect the wonders of the universe and exhibit their harmonious relation, he is also to teach the pupil the course of action he is to perform in this world, — his practical duty, — firstly, in regard to himself: the vocation he may choose in active life, and to purify and cleanse his own mind and body, so that he will be fit to attain the greatest good and happiness in the pursuit of that vocation of which his faculties are susceptible; and, secondly, in regard to others: that the ultimate as well as the present greatest good and happiness of all men must

of necessity be always the aim and object of each man, and that men must love the law, by means of which alone this is made possible.

This opens up the studies of ethics, morals, and æsthetics, or of intuition and inspiration, — studies now altogether neglected in public education, and yet so essential to the development of man's higher nature, which requires such development with paramount necessity in our age of materialistic tendencies and Mammon-worship.

With this high view of the faculties of man, the resurrected notion of man's descent from the ape, and the survival of the fittest, can of course have little in common. Based upon the altogether unsupported national economical theory of Malthus, — that population increases in a geometrical proportion, while the means of life increase only in arithmetical proportion, and that thus only a few have the means to survive, — this notion would make us believe what no history of facts ever has demonstrated or can demonstrate: that in the grand war for existence only the highest developments can survive. All history shows this assertion to be a pure fiction and metaphysical coinage of the brain. The highest civilizations have perished, and the rudest of Africa and Asia have survived. All history of natural phenomena contradicts it, as Cuvier demonstrated already in 1830, when he showed that, so far as historical experience extends, no transition of one type of organisms into another is traceable; the ibis on the monuments of Egypt is the same as the ibis of to-day; the earliest sculptured form of man is precisely what it is now. It is not so difficult to comprehend how God made man. But it is utterly beyond the power of mind to understand how an ape produced man; and the greatest anatomist of England, Huxley, has moreover shown that there are differences in the structure of man and that of any known kind of ape, which makes it easy to detect at a glance to which species the bones belong.

Indeed, so far as all historical knowledge extends, — and it is pure metaphysical subtlety to speculate beyond that, — man has always exhibited the same high faculties that he possesses to-day, has always been capable of the same development of those faculties, and always been subject to the same earthly end of them — death. Nowhere is there an historical instance of apes changed into men, nowhere an historical instance of men transformed into other creatures. Man may live forever and forever, and he will still be man; the ape may continue for millions of years, and he will still be an ape.

Permanence and development of the permanent are the two everlasting opposites of the universe, and their synthesis is reached in education. The infinity of life that we are sure to live in the everlasting life beyond the grave will still leave us men, — the same men we were on this earth, with all our memories of its manifold sweetnesses and inexpressible sorrows. Far more perfect we shall be, no doubt, growing beyond our highest expectations in goodness, happiness, beauty, and wisdom; and yet will be neither transmigrated into beasts, as Pythagoras taught, nor submerged into God, as Brahma fancied, but remain forever men, to whatever grander heights of development we may be raised above our present.

CHAPTER V.

CLASSIFICATION OF SCHOOLS.

As a means to all these studies, the body of the student must be taught: first, generally in gymnasiums, for the development of its fullest health and strength, and agility of its limbs; and, second, specifically for the development of the various senses and organs, according as the pupil may need for his chosen vocation in life.

Thus, schools have a threefold function: —

1. To develop the body so as to make it in every respect a complete, healthy, diligent, and well-trained expression and instrument of the soul and mind.

2. To develop all the faculties of the mind, and all senses and organs of the body, according as the pupil may choose his vocation in life, for the perception and realization in himself and all others of the highest good and happiness.

3. To develop the moral faculty, or knowledge of, reverence for, and implicit subjection to the idea of the highest good.

And a complete system of schools involves the establishment of —

SCHOOLS FOR PHYSICAL EDUCATION.

Gymnasiums, with military schools attached to them, for the development of the body and instruction in military practice, which are to be attached to all the following schools, except the university: —

SCHOOLS FOR INTELLECTUAL EDUCATION.

1. Common schools — for teaching the first elementary branches, and graded so as to prepare the pupil for either one of the following: —

2. Agricultural schools — comprising botany, landscape arboriculture, pomology, gardening, vegetable chemistry, geology, zoölogy, and surveying.

3. Industrial schools — for teaching all kinds of industrial labors and works, and the secret arts of the trades.

4. Schools of technology or useful arts — wherein are to be taught civil and military engineering, mechanical engineering, geology and mining engineering, building, engraving, photographing, telegraphing, navigation, and astronomy.

5. Schools of fine art — for educating artists in the various fine arts: painting, sculpture, architecture in its character as art, music, and poetry.

6. High schools — where the higher branches will be taught, preparing pupils, according as they may choose their vocation in life, for either of the following: —

7. Normal schools — to be established exclusively for the education of teachers.

8. Business schools — for the education of pupils in all classes of business: manufacturing, commerce, banking, and office business.

9. Law schools — for the education of lawyers.

10. Schools of medicine — for the education of doctors and surgeons.

11. Colleges — where the highest branches of all knowledge and science are to be taught, so as to raise a corps of men devoted exclusively to culture and science, for —

12. The university.

Education of the moral faculty to be a part of the duties and purposes of every school, except the gymnasium and the university.

CHAPTER VI.

SCHOOL EXHIBITIONS.

It will be well to arrange for each school a system of rewards or premiums, by means of which to incite the scholars to unremitting effort and awaken their sense of honor, which is the same as their self-respect, whereof Kant says that it is the ultimate basis of all morality.

For the common schools this can be easily arranged by the distribution of medals for morality, industry, learning, and good behavior, and by other tokens of approval and rewards, which have a far happier effect in inciting the scholar to increased effort than punishments, that only degrade him in his own eyes, and by thus lessening his self-respect, undermine his whole moral nature.

The agricultural schools should have annual exhibitions in every county, in which all the farmers of the county might join in annual fairs, where scholars and practical farmers would meet together and interchange thoughts, experiences, and learning, and where the teachers of the agricultural schools might distribute medals of reward, both among their own scholars according to their respective proficiency, and among the farmers according to the results of their respective labors, thus encouraging and stimulating a healthy rivalry and spirit to excel in producing the very best of that kind of vegetable and animal food with which the welfare of all citizens is so intimately connected.

The industrial and technological schools might, where it is practicable, unite with the agricultural schools in a common exhibition, making mutually known to each other what has been accomplished by either in their separate branches, and uniting in common festivities.

The same system of rewards should be applied to all other schools; and it would be well if the State should take appreciative cognizance of the moral conduct of its citizens by acknowledging rare acts of self-devotion, philanthropy, and charity.

In this way the fundamental principle of our organic code, that the true end and aim of all government is to attain the highest good, happiness, and wisdom for the individual and each of his neighbors, would be steadily deeper engrafted into the hearts of the citizens,

and men would cease to regard the attainment of a position of power, place, or of superfluous wealth as their proper aim in life. The curse of American civilization, love of such power, place, and wealth, and sacrifice of all noble ends in life to their attainment, would be eradicated, or at least greatly diminished.

CHAPTER VII.

THE EDUCATION OF EVERY SCHOLAR FOR A VOCATION.

To perceive and realize for himself and others the greatest good and happiness in a State, each pupil in early life must choose a vocation, and in the above system of schools each pupil will be enabled to prepare himself for the vocation he chooses, and thus to enter life fully equipped with means to earn his livelihood immediately after his education is completed. Nor need he spend any time in studies that are not necessary for his vocation and general culture, and will thus be enabled all the better to learn the particular vocation of his choice. The pupil, for instance, who aspires to become a lawyer, can, immediately after passing through the common school and high school, — in which latter he can select only such studies as will be beneficial to him for his profession and general culture, — go to the law school; while the one who wishes to become a farmer can, immediately after having passed the common school, advance to the agricultural school.

In order to make this education accessible to every member of the State, and to furnish each person with the necessary knowledge and dexterity demanded by his vocation, thereby making pauperism impossible, the State must furnish to each pupil lodging, food, and clothing during the term of his scholarship. This will, of course, be done only when it is necessary and required; but by doing it such institutions as work-houses will be rendered altogether useless, and an effectual stop put to the spread of crime. The expense will be comparatively slight, and saved thousands of times in doing away with the institutions it is now found necessary to erect and support for paupers and criminals, and which, by the peculiar degradatory char-

acter attached to them, keep permanent a peculiar and constantly increasing class of indigents, the dangerous element of every society.

In all agricultural districts, and smaller villages and cities, for instance, there will be only few children and young persons who will require the support of the State during the time of their education; and it is only in the larger cities that expensive measures will have to be adopted. The immense majority of parents will always prefer to provide their own children with raiment and food. But by providing those who are unable to do this with the means of education, and furnishing the poorest child with an education, profession, or trade, the State will, for the first time in history, have realized the doctrine of human equality in its full and true sense, by placing in the hands of every citizen a livelihood. For the other distinction of life, which results from money, is but accidental, and of no value to him who has the means of earning enough for his living, with the capacity of self-development placed equally in his hands.

It is, of course, understood that all classes of education are open equally to both sexes. In the lowest class of schools, as well as in the highest, the university, both sexes may use, moreover, the same schools; in all intermediate schools different ones will have to be arranged for either sex. In women's working schools, of course, women only are admitted.

CHAPTER VIII.

ANALYSIS OF THIS SYSTEM OF SCHOOLS.

I will now enter upon a more detailed account of the several classes of schools, and their peculiar character.

GYMNASIUMS.

In gymnasiums, the body in general is to be educated into flexible obedience to the will of its possessor. As everything in the double world of nature and spirit moves in obedience to harmonious laws, so the culture of the body, as an instrument of the mind, infuses health

into the physical and mental organization; and the gymnasium is, therefore, both a sanitary and an educational institution, and its teacher or teachers must be competent in both respects.

By nature the human body is a mere mass of organs, clumsy, shapeless, and disobedient; not a fixed, determined organization, like the body of an animal, but the indefinite, undetermined organization of a rational being, who is to work it out himself, — a body with no other character than that of determinability. Physical education is to take hold of this clumsy body and make of it the most artistic object in the universe, irradiating beauty by its glow and proportions as well as by the grace of its movements, and revealing the most developed strength and agility in each of its limbs. Wonderful quickness and power are to be developed in every part of the body, a strength and security of movement which seem almost supernatural, and the obedience of every limb is to be no longer sullen and slow, but quick and dexterous.

To attain this development of the body, teachers must be selected that are well instructed in all the appliances of the science of gymnastics, and with competent knowledge of the sanitary effects of the various kinds of gymnastical evolutions upon the body. One of the most beautiful exercises, imparting grace of movement, and at the same time enjoyable in a high degree, is dancing, which should therefore be taught in every gymnasium. Nor should this exercise be confined to the common dances, but reach to the highest branches of the art of dancing, wherein the movements of the body become the visible interpreters of the movements of the music.

To every gymnasium there should also be attached a swimming-school, so that this healthy and refreshing exercise, a knowledge of which may so often preserve life, should be acquired by as many scholars as possible.

With bodies thus developed into health, strength, and grace, and wherein the mind would exercise that instantaneous and perfect control and force which is the result of such development, the men and women of the country would rise to a condition of self-reliance, strength, pride, and glory such as speaks to us through the finest statues of ancient Greece. Health and litheness would make every moment of life a delight and joy.

MILITARY SCHOOLS.

If history emphasizes any fact it is this: that nothing is more fatal to the political liberties of the people of a State than the organization of an exclusive, distinct military body; and the more numerous such a body is, the greater will be the oppression. Even where such a military body is organized among the people themselves, and for only temporary service and drill, as is the case in Germany under the landwehr system, the evil effects are directly apparent. Horrible as the object itself is for which military drill is needed, the spirit inculcated by the drill bears even worse results; for while war only destroys life, the spirit of submission and dependence which is infused by the drill, and which gradually prepares men for a condition of slavery in general, destroys all that gives value to life. Hence all countries have drifted more and more into political slavery as their standing armies were increased; and in Germany especially, such abandonment of formerly free and republican principles and feelings among the people for slavish subjection to imperial rule has patently been the result of its system of a military force which enlists every citizen, and thereby infects the whole population of the State with that military slavish spirit.

Nevertheless, the time has not yet come when, under such an international code as I shall propose, the military body of a State can be entirely dispensed with. We meanwhile need a small professional military force for naval and garrison duty, and at the same time we need another larger force, that shall make us at all times prepared to levy against any foreign power all the strength, art, and science of our government. For it is the most perfect State, the State of fullest individual freedom and least despotic power, which is in greatest danger of attack from the despotism of other countries, as most likely by its example to arouse their people to a struggle for a similar condition of liberty under the law.

The problem is, therefore, so to arrange matters that our government shall have at all times ready all the resources of the art of war and all the forces of the republic, without having a specially organized military body, except the small one heretofore mentioned; and this body can be reduced still further, if the police system proposed by me in another part of this work should be adopted.

So far as the instruments of war are concerned, there need be no difficulty. Fortifications can be built and kept in condition of defence, according to the most advanced principles of military science, without endangering the liberties of the people. Ships of war also can be constructed in sufficient number, and the necessary material of war for all branches of the service can always be kept on hand.

So far as the men — the soldiers — are concerned, it seems to me that if the gymnasium were to add to its course of instruction a military drill, the main body of an army — the infantry — would at all times be on hand. Such a government as I propose, with a body of men physically developed in every way by the gymnasium, and, moreover, practised in the drill of military service, needs no further special organization of that body to render it effective at any time. The men of the State would all be as conversant with the drill of the service as with their A B C's, ready at any moment to apply their knowledge; and yet they would be without any organization until the moment of peril.

The cavalry branch of the army, which is comparatively of small importance, could be formed in cities. Requiring, as it does, the drilling of horses as well as the drilling of men, and the exercise of large numbers at one time, it would be, perhaps, inconvenient to collect in the country a sufficient force at one time for the purpose of military training. But among the young men of the cities attending the gymnasium a sufficient number could doubtless be collected to organize for instruction in cavalry practice, more especially as the exercises would necessarily take them out in the open country, and thus combine recreation and enjoyment with military instruction.

Artillery practice might also be taught in large cities, but particularly in the districts adjoining fortifications and navy-yards. This branch of the service is of the least importance in actual battle, for its main effect is to produce fear by noise, and a proper degree of individual courage on the part of the infantry is always able to overcome it. Machiavelli pointed this out long ago, and wherever a fearless and educated infantry has been opposed to artillery, the result has corroborated his judgment.

In this manner the State would have ready at all times an effective service, without the dangerous element of a specially organized military body. Against such an army of active, healthy, well-drilled, and intelligent freemen no other army of equal numbers could long

hold out. And it is to be hoped that the international judiciary proposed in my system for the final settlement of all questions at issue between kingdoms, empires, and republics belonging to the international federative association of civilized, enlightened nations, will enable them to settle all disputes without resorting to war.

COMMON PUBLIC SCHOOLS.

In the common public schools the child gets its first control over the instruments of all learning: reading, writing, and ciphering. Having acquired this control, the child is, by a judicious system of gradation, taught to apply those instruments in the acquirement of a knowledge of fundamental history, geography, natural history, and finally, perhaps, the first principles of natural philosophy and chemistry.

In order to accomplish the most in the least time, the hours of school attendance should be as few as possible; but the corps of teachers should be as large as practicable, so that each teacher may have but a small number of children under his direct supervision. It is surely not necessary to keep children at exercises that tire their eyes and weary their young bodies, merely to while time away; nor is it policy to intrust to one teacher more children than he can pay attention to. In Prussia, for instance, there is only one school-teacher for every forty scholars; and yet that same State thinks it necessary to employ one teacher, called corporal, for every *six* military scholars or soldiers.

Needing only a few hours' attendance per day at the common school, the child will have ample time for the art school and the gymnasium, and yet have abundant leisure for play, recreation, training, and self-culture at home.

From the common public school the child can enter the agricultural school, or the industrial school, or the school of technology, or, if it decides to pursue a higher education, it may enter the high school.

AGRICULTURAL SCHOOLS.

Agriculture, being the most independent profession, in that it furnishes man directly his food and the materials for clothing, will probably be at all times the chosen vocation of the proportionately larger number of scholars, and should indeed be encouraged, rewarded,

and made profitable in every way. The main problem of agriculture is to gain the greatest amount of the various products from the least amount of land, without deteriorating the soil; and in proportion as the State increases in population the importance of this problem becomes greater, as will be shown more particularly hereafter, when speaking of the vast amounts of lands squandered upon the railroads through the recklessness of Congress.

The scholar who chooses agriculture for his vocation must be instructed in all the means science has discovered to solve that problem, and at the same time be made practically conversant with the appliances of labor whereby to carry them out.

For the latter purpose it is absolutely necessary that every agricultural school should be situated upon an extensive tract of land, whereon the various forms of agriculture can be carried out. Part of the land will therefore have to be laid out in a farm; part in forests, orchards, and vineyards; part in pasturage; part in useful vegetable gardens, and part in artistic landscape and gardens.

The scholars may be assigned to either branch of the work, or, if their stay at school is long enough, to more or all of them.

For the former purpose it is necessary to set apart certain hours of the day for instruction in the various sciences relating to agriculture, — as, for instance, chemistry of the soil, vegetable chemistry, manuring, stock-raising, pomology, botany, landscape gardening, grafting, geology, and zoölogy.

To these studies should be added lectures for the development of moral culture, and culture in general, — the secluded life of the farmer making it essential to his happiness that he should acquire a taste for the fine arts in their various forms, — and also a series of lectures on the constitution and laws of the State and of the federative system.

INDUSTRIAL SCHOOLS.

Of the pupils of those schools who do not choose agriculture for their vocation, a number will doubtless engage in industrial pursuits, and should therefore be fitted out by the State with all the knowledge necessary for that purpose, in special industrial schools, with separate schoools for the instruction of women in labors and acquirements that are purely womanly.

The industrial school for boys should provide and teach all kinds

of work and manufacture practised in the State, as the taste of the scholar may single out for his vocation. These schools, as well as the agricultural schools, can be made productive, and the profits divided among the pupils and used for premiums. Still, it should on no account be the object of the schools to be made productive for the State, since such a system would surely lead to oppression and corruption, and excite dissatisfaction among the scholars.

The industrial schools for women should educate girls in all the work peculiar to housekeeping, and all other kinds of work that may belong peculiarly to women, — as, sewing, embroidery, knitting, etc. At the same time, they should be allowed and encouraged to learn any of the other kinds of industrial work that any one might desire to choose for her livelihood, — as, telegraphing, printing, etc. But as the art of housekeeping, with its various elements, will in some way or another need to be known by every woman, special attention should be devoted to this branch of the school. All matters relating to the kitchen, the chemistry of cooking, the sanitary and gastronomical elements of diet, and its rotation during the week and the seasons of the year, should be thoroughly taught; as also the mode of keeping accounts for the household, etc.

In both classes of industrial schools a course of general culture and literature should accompany the specific instruction, and also, as indeed in every school, a course of lectures on the constitution and laws of the State and of the Federation.

SCHOOLS OF TECHNOLOGY.

Schools of technology have already been established in one or two of our States, but every State should have at least one. In these schools all the mechanical professions and the studies connected with them: physics, chemistry, thermo-dynamics, machinery, metallurgy, mineralogy, engineering, surveying, mining, engraving, photographing, telegraphing, and navigation.

As all these sciences are based upon mathematics, their study will have to be made a specialty in the schools of technology, as also the study of astronomy, which is indispensable for several of the branches taught.

Architecture, being not only an art, but also an engineering profession, should also be taught in this its character, as building, in the

technological institutes. This includes the teaching of architectural design and drawing, construction and applied mechanics, the chemistry of building-materials, etc.

As the government will have to rely upon the graduates of the schools of technology to supply its military officers in times of war, the study of military engineering, surveying, and of all matters appertaining to military science, should be made a special department.

A course of instruction in general culture should also in these schools accompany the technical course of study, and should embrace the studies of modern languages, history, botany, and composition.

SCHOOLS OF FINE ARTS.

In the widest sense of the word, every work of the human intelligence as a manifestation of its creative power, in contradistinction from the works of nature, might properly be termed a work of art; but usage has limited the use of that phrase to those works that have no other design than to exhibit man's creative power, and has signified the limitation by speaking of the arts generally as fine arts, although one of them — architecture — branches over into the useful.

But all other fine arts have only the beautiful for their object: the beautiful, which is love; the love, which is creativeness. Every rational being loves by its very nature to create, and the love of art is therefore universal. It is to be expected that every pupil of all the other schools will apply for admission to the school of arts for the purpose of learning some one favorite art, which he can practice in the leisure hours of his future life, so that he may be able to fill up spare moments for himself and those around him with the enjoyment of pure beauty.

But quite a number of scholars, to whom nature has kindly given a peculiar talent for some one of the arts, will wish to obtain a perfect education in the art chosen, with a view of making it their future vocation. These latter constitute a class of artists proper, while the former are only amateurs.

For the artistic education of amateurs it will suffice to set apart one or two hours of study in the school of arts, while they are pursuing their regular studies in the other schools to which they may belong. These hours might be arranged for the evenings.

The pursuit of art being itself an enjoyment and pleasure, its study

will not overtax the physical strength of any scholar, but rather recuperate it. Each amateur scholar must, of course, be at liberty to choose the art he desires to practise; or to choose two, if he has the necessary time and energy. It is of the greatest practical value for the future enjoyment of life that every pupil of any school should acquire at least one art thoroughly, so that his taste for beauty may be sufficiently developed to appreciate it in every form.

Those who desire to make a special vocation of some one particular art will, of course, make the school of arts their permanent home during their term of instruction. All the materials necessary for their studies should be furnished by the State. The art productions that are sold would amply reimburse the outlay. The remaining profit should, of course, go to the respective artists.

Music being, of all arts, the one most easily practised under all circumstances of life, and the one most effective in amusing and in developing man's moral nature, because it appeals most intensely to his internality, should be taught in some one of its forms, and, as much as practicable, to every child. It was surely not without having observed this, its effect, that the Greeks laid such stress upon it as an educational agent.

HIGH SCHOOLS.

The high schools take up education at the point where the common schools leave off, and pursue it in all its branches; each pupil, however, receiving only such education as his future vocation in life may demand. Those who wish to become business men, for instance, receive another course of instruction than those who desire to devote their lives to pure science, or to any one of the sciences, as philology, mathematics, etc. For it is not only useless, but positively injurious, to teach scholars matters that they cannot pursue in their future career in life. A smattering of Latin and Greek taught to a boy who intends to enter business life both takes his time and mind away from the studies he should pursue, and fills him with false conceit. Every citizen of the State should have his special function, and learn to be completely master of that, and not attempt to fill his mind with a little undigested knowledge of things that lie beyond his sphere.

The pupils who have passed through their course of study at the high schools should then be allowed to choose either of the following for the completion of their education: —

NORMAL SCHOOLS.

The normal schools should be exclusively adapted and established for the education of teachers; and it is absolutely necessary that there should be such schools to train teachers for their special profession. The science of pedagogics, or teaching, has to be studied just as well as any other science, or we shall never get a body of teachers fit to take charge of the various schools of the State, and conversant with their art in all its branches and details. The normal schools are intended to educate a corps of teachers whose sole aim in life it shall be to teach, who shall consider this their permanent vocation, and devote all their skill and energy to carry on teaching successfully. The shifting body of teachers to whom we commonly intrust our schools, who take up the profession of teaching simply from temporary necessity, and who have to learn their science in the schools themselves, must be altogether dispensed with. Only when this is accomplished can we rid ourselves of the text-book system, with the mechanical drill it inculcates, and which deadens the minds of the pupils, checking every development of freedom and individuality.

Every teacher should be competent to teach without a text-book, whether it be history, geography, natural history, or any of the sciences, and should have learned the art of teaching so impressively that in conversation with his pupils, drawing them out and causing them to originate their own answers, instead of memorizing from the text-book the answer that is expected, he will illustrate all principles taught.

It is only by such a mode of teaching that a teacher will ever succeed in making his pupil think for himself, and comprehend thoroughly the reason of the matter taught, so that he shall be able in all his future life to remember it and apply it practically to any problem that may be sprung upon him.

BUSINESS SCHOOLS.

As things are at present, those children who desire to enter commercial, banking, manufacturing, or office life, do so unprepared by any especial instruction furnished them in our public schools. They thus have to learn whatever business they choose, altogether

by experience, — a very slow and uncertain school, with indifferent teachers; not very remunerative either, since the salary of the inexperienced is necessarily small, — a circumstance that is a fruitfnl source of crime.

Under the system of schools herein proposed, the pupil who aspires to a life of business will not be required to study a number of matters that are utterly useless for him in his future vocation, but enter from the high school directly into the business school, and there be taught—

1. Whatever pertains to manufacturing or commercial life; the nature and native places of the various articles of commerce, their mode of transportation, cost, insurance, etc.; and all these matters should be taught as they are at the time, so that the scholar may enter the world of commerce with a knowledge of the present, and not of a practically useless past. The art of book-keeping must, of course, be taught; so also correspondence, and, when required, modern languages.

2. Banking in all its branches, its history and growth, and the science of money and finances.

3. All kinds of office business, such as insurance, real estate, notarial duties, and such other office business as may be carried on in the State.

LAW-SCHOOLS.

In every school a course of general instruction concerning the laws and constitutions of the State and Federation should be given; but in the law-schools this instruction is to be special, and for the purpose of training a corps of lawyers, judges, and statesmen that shall be reliable and efficient.

Only such persons as have finished the course of study at these schools, and received a diploma, should be allowed to practice law and be elective for the judiciary department of the State and Federation; so that no citizen may receive injury from incompetent judges, or by employing incompetent counsel.

The study of pure law should be accompanied by a course of the history of law and government in the various forms they have assumed in the development of the human race. Thus, besides the study of the organic law of the State and of the Federal government, of the State and Federal codes, civil and criminal, there should be a course on the codes of foreign countries, on the principles of com-

mon law and equity, on ancient, feudal, and civil law, and finally, on international law and international jurisprudence.

It must be borne in mind that the law-schools are to educate not only judges and lawyers, — that is to say, servants and interpreters of existing law, — but also legislators, — the makers of law, — and that hence there should be taught not only the existing and historical statutes and forms of law, but also the fundamental principles of law and government. These fundamental principles of the science of law, and their deduction from the fundamental principles of knowledge in general, will be furnished by the university, through its professors of philosophy.

SCHOOLS OF MEDICINE AND SURGERY.

No one should be allowed to practise medicine in a State who has not passed the medical school and received a diploma, and no person should be allowed to sell drugs or medicines unless he has passed through the pharmacy department of these schools and received a proper certificate.

As the whole science of medicine, so far as it depends upon the effects of drugs, is purely experimental, all systems of practise should be equally taught; and for the same reason a record should be kept and arranged, under a proper system, to show the direct results that have followed the administration of any medicine. No science being so purely negative and dependent upon experiment as the science of medicine, it is of the utmost importance to have a continuous record of all experiments made with any kind of drug, — allopathic or homœopathic, — or with any kind of mixture and the compounds of that mixture; and such record, together with all other facts regarding diseases, the spread of epidemics, etc., should periodically be made public.

Surgery, dentistry, diseases of the eye and ear, and indeed all diseases which require mechanical treatment, should constitute special departments of the science of medicine, since these diseases certainly admit a purely scientific treatment.

COLLEGES.

Under the above sketched system of schools, there will be left for entrance into college life only those young men or women who desire to devote themselves altogether to science.

The high school does not propose to educate its pupils any further than to fit them for entrance into the schools just named; and hence, to raise them to a standard of education which alone will make them valuable members of the university, the college must step in as the mediating factor. The college is to furnish to such persons the highest culture attainable to each one in the special department of science he may choose: mathematics, physics, natural history, geography, astronomy, philology, history, æsthetics, etc.

Having passed through the college, the student has served his apprenticeship of learning, and, becoming a master, enters into full and equal intercourse with all other men of science by means of the university.

UNIVERSITIES.

The national university is to be, not so much a school — that is, a place for teaching — as rather a place for the appliance and further new development of the highest grade of learning, the gathering-place of the chief men of the various sciences, and of all who desire to devote their life exclusively to science, for common intercourse and improvement, the central point from which each university, in conjunction with the universities of all other States, is to carry on the ultimate aim of all States: to subjugate nature to the highest attainable extent unto the control and directive power of men, and to develop the highest culture and clearness in men, thereby realizing their greatest good and happiness.

Here the most perfect instruments in this war of subjugation should be collected and arranged; here constant experiments and observations be conducted, and the result of all other private and public experiments and observations be gathered and reported again to all other universities and institutions, as may be requisite; here the most complete libraries, art-galleries, museums, etc., should be established; and here, finally, the teachers of the highest science — of philosophy — should find their sphere of action opening up its treasures to the highest developed minds, and giving, from its universal form and substance, to every other science its fundamental principles and the form of its procedure.

In this way all universities of the world may gradually form an organized body of all the world's learning and knowledge, each separate one a nucleus and representation of all, and reflecting back upon

all its own additional light and acquirement; realizing Leibnitz's great conception of an organized body of scientific men over the whole earth, working together disinterestedly for one common object, and each one doing the peculiar work assigned to him, so that no valuable time and labor may be lost in having the same thing done by many, as occurs constantly under the present unorganized system of things.

A nation having such a university, and giving the best scholars of the country there assembled proper communication and influence with that part of the State organization for which they may be respectively specially qualified, would soon achieve results to excite the admiration and emulation of all its neighbors. With such a trained corps of scientific men, physical disease and hereditary maladies could doubtless be almost annihilated, the forces of nature tamed and regulated beyond the most sanguine dreams of this day, and the finances and property laws of the State so codified as to secure law, order, justice, happiness, and prosperity.

For the power of man is infinite, and when he once opens his eyes to see clearly, he will discover means and remedies for every evil that afflicts the race. The superstitious notions of the past on all matters of religion, or law, or medicine, or social and political organization being once removed, it will become apparent that the distrust in his own perfectibility on the part of man was unfounded, and that every problem of the race is capable of solution, and must be solved, and that it could not be a problem given to the race by the Divinity, had not the race the power to solve it.

There is no necessity for misery, crime, and disease, and a social and political organization can and must be invented that will prevent them; there is no necessity for living in dread of the forces of nature, and measures must be discovered by which to overcome them; there is no necessity for the spiritual gloom and fears that send so many to insane asylums and premature graves, and a science of all knowledge must remove the last remnant of darkness from men's minds, and spread everywhere and over all time spiritual and intellectual light and clearness, developing the true inspirations.

To make these discoveries, organize these measures, and spread this light, and thus to realize the highest good, wisdom, happiness, and perfection for all inhabitants of the State, should be the task of the universities; and as they will be established by the State organi-

zations herein proposed, one of the main objects of its teachers will necessarily be to perfect the organic laws of this system, and recommend an extension of its harmonious working, as experience may determine, for the preservation of the rights and liberties of men for all time to come.

CHAPTER IX.

CONCLUDING REMARKS.

The only objection that has been brought forward against the system of education proposed is that, on the extensive plan sketched out for it by me, it would necessarily interfere too much with individual freedom, and the natural control of parents over their children and their religious convictions. It seems to me, however, that this fear is entirely ungrounded, especially as I take distinct ground against compulsory education.

My position on this subject is simply this: that a rational government cannot be upheld by a people whose intellectual faculties have not been to some extent cultivated, and who have not been brought up to some kind of labor whereby they can earn their livelihood.

This proposition seems to me to be indisputable, and a glance at the condition of any savage tribe will illustrate its truth in daily experience. But that without which government is impossible must be supplied in the establishment of a government, and hence it is the positive duty of every nation to furnish to all its citizens the means of developing all the faculties of their minds and bodies, and of acquiring a vocation in life by the exercise of which they can become useful members of the Commonwealth. Whether such citizens may elect to avail themselves of those means, is a question which must be left to their individual freedom to decide. They are at liberty to grow up in ignorance and laziness, but if they thus become paupers or criminals, they are debarred from pleading as an excuse the absence of education, in the widest sense of the word, as it is used by me. The State has now the right to say to them, which right it would not otherwise have: the means of earning your livelihood and of cultivating your minds to become good citizens and useful mem-

bers of our Commonwealth were furnished you by us, and in the bad use of your right to your freedom you chose not to accept these benefits. This refusal on your part has led you to become offenders against the laws of the State, — corrupt politicians, vagrants, gamblers, robbers, or murderers. The State can therefore no longer recognize you as belonging to its members, and will have to treat you like criminals as you are, by inflicting the severest tasks of hard labor upon you in industrial prisons, or if need be execute you, as the loyal bees destroy the drones in the hives.

This is the reason why the organization of a public-school system is not only expedient, but a duty which the State owes to its upgrowing citizens, and why it is therefore just to levy a general tax for its support. The people, who form and constitute a State and its government, cannot realize the object which they have in view in that formation, and cannot maintain the government which they have constituted, unless every child in the Commonwealth is enabled to develop all those faculties without which it can never become a good citizen. Hence it is as proper to tax the people of the State at large for the erection and maintenance of free public-schools as it is to tax them for the erection and support of courts, penitentiaries, hospitals, and asylums.

The other argument used in the objection to such a system of free public-schools, namely, that many parents desire their children to receive also religious instruction in schools, and that as the public schools cannot teach religion it is unjust to support them by public taxation, is still more groundless than the plea that a public-school system interferes with individual freedom. It is impossible that injustice should be worked by that system, so long as all children, no matter of what creed, have equally the privilege of attending them and learning all those branches of education regarding which there cannot be any conscientious dispute. The public schools, it is true, do not teach religion, but neither do they interpose any objection to religious instruction. Every parent can have his or her child educated in matters of religion as well with as without the public-school system; only not in the public schools, where religious teaching would bring Pagan, Buddhist, Jew, Mohammedan, Brahmin, and the numerous sects of Christians into constant conflict. And what earthly reason can be advanced to show why children should be taught religion in the public schools, and not rather in other places

especially provided for that purpose? Why do not all parents who choose to educate their children in religion do so independently of the public schools, precisely as they now send them to special schools of music or painting? It is evident that no satisfactory reason can be assigned why religious instruction should not be given in special institutions established for that purpose by each sect or religion, particularly as these institutions already exist in the different churches, which are, after all, the fittest places for teaching children those religious doctrines which they will be taught there also as they grow up to riper years. The proposition that religious instruction must be taught in common schools is therefore a mere frivolous pretext.

But, say the sectarians, as we have already a number of common schools of our own, wherein the same educational subjects are taught as in the public schools, in addition to religion, is it not fair that our schools should receive their equitable proportion of the taxes which the State raises for the general purposes of public education?

The reply is very easy. Sectarian schools are private institutions, and not under the control of the State. The State has nothing to do with them. The State pays for its own asylums and hospitals, for all the sick and poor, but not for the asylums and hospitals of either sect, — Jews, Chinese, Catholics, Mussulmen, or Protestants. In the same way the State pays for its schools for all, and not for private schools of any kind. If a Jewish, a Baptist, or a Methodist, or a Catholic congregation or individual choose to start schools or academies, it is their own affair. It is the most unblushing kind of impudence to ask the State to pay or contribute for private schools for particular sects of religionists.

But it is also worthy of attention to reflect, that if this proposition to divide the taxes raised for school purposes between the public schools and the sectarian schools should be adopted, the very object which sectarians who make that proposition have in view would be defeated. For if it were carried out, and if the State government were thus to raise taxes for the maintenance of the sectarian schools, it would certainly also have the right, duty, and power to supervise all the matters connected with those schools. But the governmental interference is the very thing that the sectarians oppose. They therefore directly contradict themselves, and make it more apparent than ever that the arguments which they advance are mere pretences, and that their real object is to break up the public-school system altogether.

The objection, which is also raised by some foolish or extravagant sectarians, that in our public schools we make use of school-books which reflect to a great extent the Protestant creed, and of song-books that contain some so-called Protestant hymns, is almost too childish to need refutation. Jews, Buddhists, Brahmins, and unbelievers in general, might make the same objection to the use of books containing the names of God and Christ; and, carrying out the principle still further, a German might object to have the name of Napoleon mentioned, a Frenchman to allusions to Bismarck, and an American Northerner to a biography of Gen. Robert E. Lee. If that plea had any force, we might as well burn up our whole literature; and no Christian child ought to be told of Socrates or Confucius, or the whole line of heathen gods, which Christians, however, are but too anxious to have their children taught, even before they can comprehend the God of their own religion. Is there a sensible man or woman among the Protestants who would object to their children singing the oratorios of the Catholic Haydn, or those magnificent masses of the Catholic Church, some of the grandest of which have been composed by Protestants? Is there a sound-minded Roman Catholic who feels it an insult to his religious convictions if his or her children learn the grand oratorios of the Protestant Handel, or the most marvellous of all works of that kind, the *Mathæus Passion* of the Protestant Sebastian Bach? What Protestant, again, does not listen with the same devotion as a Catholic to the Ave Maria, written by a Protestant, Sir Walter Scott, and set to music by a Catholic, Franz Schubert? If the grandest, and by far the most numerous productions of modern literature have Protestants for their authors, should the future generations, on that account, be kept in ignorance of them? Culture, to be thorough, must be universal, and hence every good "Reader" used in schools must contain selections from the best writings of the most cultured men; from the writings of the Protestant Shakespeare, as well as those of the Catholic Calderon; from the Puritan Milton and the Romish Dante; from Kant and Aristotle, from Bacon and Confucius.

As this objection referring to the text-books and music-books used in the public schools has been raised chiefly by Catholics, it may not be improper in this connection to remind them that of all the libraries in the world, that of the Vatican is the most universal; of all the art-galleries, that of the Vatican the most comprehensive. If, then, the

popes themselves have thus not only authorized, but assisted in making collections of books wherein all creeds and religions are represented, and have spent millions of dollars in the perfection of galleries wherein figures of the Virgin Mary and Venus, Christ and the Apollo, are exhibited with equal prominence, what possible scruples can a Catholic layman entertain to have his children brought up in such a manner that they may be able to appreciate all those treasures of his Church?

Supposing, however, that a State government were to adopt this sectarian scheme, how would it work financially? A general tax for school purposes would be raised, and the money obtained would have to be equally divided in proportion between all the schools of the community on which that tax was levied. Any private individual or any corporation might start a school or set of schools, and no matter how worthlessly they kept them they would be entitled to draw their *pro rata* of the general school-fund. A new and illimitable field of public plunder and corruption would thus be opened, and while the people would be robbed of their money, their children would be cheated out of a proper and sufficient education.

LIBERTY AND LAW.

PART SECOND.

PUBLIC INTERCOMMUNICATION.

GENERAL PRINCIPLES.

I.

Having shown the duties of the government in regard to the preservation of the physical health, strength, and activity, and the development of the intellectual, inspirational, and moral powers of its citizens, in order to prepare them for the fit and harmonious use of all their faculties of mind and body, I shall now specify the duties of the government in regard to the intercommunication of those citizens, whereby the exercise of their social and political functions is to be protected.

That there are such duties should admit of no question. Under our own Declaration of Independence, it is the purpose of government to guarantee to every citizen life, liberty, and the pursuit of happiness. But no government can make this guarantee unless it has supreme control over all the means whereby to make it valid.

These means are manifold, and, in order to make each separate one effective, should be organized into a complete and harmonious system of intercommunication. It is to be accounted one of the great deficiencies in the structure of our federative government that this organization of the various means of intercommunication was lost sight of, or held to be beyond the proper scope of government. Hence these means drifted into separate and unconnected channels.

It is very instructive to observe the admirable systems organized by men for the management of their private business; and then notice the reckless, negligent manner in which our public affairs are administered, — the former manifesting economy, industry, integrity, prudence, and activity; the latter, extravagance, fraud, idleness, and inattention. It is evident even to a casual observer that the conduct of our public administration in all matters of public inter-

communication between men in our republic has allowed them to pass under the control of selfish political schemers and corporate despotisms.

When a private citizen establishes a business of any kind, he is very careful to see that each part of the work is organized so as to fit closely into all other parts; that each person employed shall have a specific portion of duties assigned him, and that the rules for the government of all these persons shall be fair and uniform in their application, clearly made known to each one, and strictly enforced. But in the administration of our government affairs all these fundamental rules for the successful management of private business are ignored; and even this great function of government itself, — to secure and promote the most reliable and economical means for universal public intercommunication between all citizens, — has been surrendered and turned over to Federal and State corporations, at once oppressing the people and embarrassing the government.

The Federal government has divided its sovereignty over the currency of the country with national banks, in violation of the Constitution; it has invited competition with the old coin-monopoly of foreign nations by impolitic discrimination in favor of gold for the payment of United States duties, thereby causing legal-tender notes to suffer a discount at the very time when treasury-demand notes receivable for duties were at par with coin; it has granted away its supreme control over territorial and State highways to State and Federal railroad corporations created by Congress, and permits them to tax the travel and commerce on these interstate highways without any just limitations; it has granted to telegraphic monopolies the right to control on their lines the public and private intercommunication all over the country, and to levy such rates of tax therefor as the corporators choose, to the great injury of the citizens and the government, as if the members of Congress had owned in their own right the lands and moneys belonging to the people, with the power to donate them to banking, railway, or other corporations.

Many of the State governments also have granted away portions of their sovereign powers and vast amounts of State bonds and moneys belonging to their citizens to like corporate railway monopolies, which now arrogantly seek to control those State legislatures and judiciaries, as they do the Federal Congress and the judiciary, by the corrupt use of their great money-power and influence.

All these charters and gifts, fraudulently and corruptly procured from the State and Federal legislatures, should be resumed as soon as practicable by our governments; and if such corporations have acquired vested rights that cannot immediately be divested otherwise, then the State and Federal legislatures should establish regulations and rates of charges for them, to prevent their gross extortions and outrageous mismanagement and the daily reckless destruction of human life; and, as soon as practicable, their lands and railways should be declared subject to condemnation for public use, their value assessed by juries, and the assessments paid over to the owners, thus restoring the highways to the people.

It is a fundamental maxim, in the administration of a federative system of government like ours, that all the means whereby public intercommunication between the citizens of the several States and Territories is carried on, whether through a money medium, railways, telegraphs, police, or official newspapers, etc., should be subject to the exclusive control and direction of the Federal and State governments, according to their respective constitutional powers and jurisdictions, so as to secure to the citizens of each State and of the United States a perfect legal equality of rights, and prevent usury and extortion.

All existing corporations in the country that interfere with or obstruct the harmonious, full, and just administration of the respective State and Federal governments, established by their founders for the security and promotion of the common good and happiness of the people, should be abolished.

All existing laws tending to exempt any particular person, or combination of persons, from taxes or duties, or to create any privileged classes, corporations, or associations in any State, should be repealed, and a graduated income-tax substituted.

The Federal and State constitutions should be so amended that the respective legislatures should be prohibited from granting, leasing, or disposing of the whole or any portion of the sovereignty or franchises of any State; and from granting, selling, leasing, or disposing of any goods, rights, liens, lands, or things whatsoever, except upon public notice, under general laws.

No village, city, township, county or State in the republic should have any power to issue, sell, or negotiate any interest-bearing bonds;

and the national government itself should be prohibited from issuing hereafter any interest-bearing bonds.

In the management of our national finances, the supreme control having been vested by the Constitution in the Federal government, it is necessary for it to assume and exercise this control by enacting laws declaring what shall be the national money, to the exclusion of all other money, and make a sufficient quantity to redeem all bonds and pay all debts of the republic, so as to create a circulation that will be ample for the development of industries and the requirements of trade, and at the same time free the nation from the oppressive burden of interest.

By the adoption of this policy there will be but one kind of money in the country, secured for its conversion or redemption in every article offered for sale or export; in all the lands, natural wealth, products, taxes, and duties of the entire nation, now possessing larger, more available, and more valuable resources than any other in the world.

The administration of our governments, State and Federal, has to a great extent ignored these general principles for the preservation of republican liberty and political equality, by permitting the growth of a class legislation that is slowly but surely absorbing our common franchises and liberties by the creation of privileged classes, of gigantic railway, banking, navigation, and telegraphic corporations, who will at length possess themselves of all the valuable powers of the government, and inevitably reduce the people to a state of slavery, unless measures of reform are adopted before these despotisms are too firmly established to be overthrown.

By adopting the amendments to our constitutions indicated in this chapter, and inaugurating an organization of our legislatures and judiciaries, State and Federal, on the principles sketched in the first part of this work, the people will become in reality the only source of political power in the republic, under wise, harmonious, and just systems of laws, and under a full representation of all individual citizens, from townships, villages, cities, and counties, in their primary capacities.

The other great problem, how the rights of each State, in a federative system like ours, and the proper supremacy of the Federal government, can be secured so as to administer the laws and the

governments for the common good, without tending towards centralization or disintegration, have also been examined in the first part of this book.

II.

The main purpose of this work is to show the defects in the administration of our present systems of government, and to suggest remedies therefor. The most remarkable instances of maladministration in our Federal affairs have occurred during the last ten years, some of which I now propose to notice by way of illustration.

The passage of an act of Congress, in 1863, for the creation of the national banks was directly in conflict with the general principles above given as those that should govern the management of the national finances.

In 1861 the government issued sixty million dollars treasury demand-notes, receivable for duties, so that they were equivalent to coin in the New York market during the war. In 1862 about two hundred million dollars in legal-tender notes were issued, receivable for all debts except duties. Notwithstanding the ridiculous inconsistency of making these legal tenders inferior to coin, and inviting, as it were, coin gambling and a decline in the value of the legal-tender currency, no serious depreciation of them occurred until the issue of large amounts of Federal bonds and the passage of the National-Bank Act, in the spring of 1863, to increase the currency. This new currency was to be issued by the national banks upon the basis of Federal bonds deposited in the United States treasury, to secure redemption in legal tenders. There was no valid reason for adopting this scheme to increase the circulation. The natural and reasonable course would have been to issue more legal-tender notes if they were needed.

The national-bank expedient was infinitely worse in its effect upon our finances than a direct issue of one thousand million dollars of legal-tender notes would have been; for how could any sane man have supposed that national-bank notes issued by the treasury upon Federal bonds were better secured than legal-tender notes? This national-bank issue was based upon the same national security, and was redeemable in legal-tender notes; but it was not a legal tender for debts, which made it an inferior currency. The whole commercial world regarded this scheme as a mere trick to bolster up the national

bonds, and the immediate effect was greatly to injure and impair the public credit.

It is marvellous how any honest man could have proposed the passage of the National-Bank Act to sustain the public credit, when by its terms the government agreed to pay such banks, when organized, twenty million dollars in coin per year for lending three hundred and thirty-three and one-third million dollars of second-class governmental currency to the people at the highest rate of interest, for their own profit. No spendthrift heir ever sold his inheritance at more ruinous rates. Valuing the twenty million dollars in gold paid those banks as a bonus, at the currency value in June, 1863, and estimating the interest thereon, compounded up to June, 1873, the banks would have realized a profit out of the bonus alone of nearly double their total circulation, and upon the circulation itself a further profit now estimated at nearly two thousand million of dollars.

These enormous amounts of money would have been saved to the people if the United States had issued the three hundred and thirty-three and one-third million dollars in legal-tender notes to meet war expenses in 1863, instead of chartering national banks to accomplish the same object in an indirect way, whereby the national credit was directly injured just in proportion as that notorious scheme of financial folly was manifestly unprofitable to the government; and accordingly it required, in July, 1864, about two hundred and seventy-five dollars in currency to buy one hundred dollars in gold, while the legal-tender demand notes, receivable for duties, were at par with coin, as the common greenbacks would have been if receivable at the custom-houses of the United States.

The creation of these great money-monopolies, with their extravagant largesses from the government, emboldened shrewd and grasping speculators to demand and obtain from Congress, soon afterwards, inestimably valuable railway charters for roads to the Pacific coast, and vast grants of public lands, for the private emolument of a few favored stockholders.

These two schemes for using the sovereign powers of Congress to create corporations, to use the public highways, the public credit, and the public lands for private profit, are the most gigantic in their results of any recorded in history. The stockholders and managers of those corporations have probably realized in money and in lands

enormous values, estimated to be nearly double the whole national debt, and now control the legislation, the finances, and the internal commerce of the republic.

III.

There are other defects in the laws for the administration of our State and national governments which seriously impair the public intercommunication of our citizens, that should be remedied at once.

We require a State and National police and registration system that shall be effective for the protection of our lives and property, our political franchises, and our freedom from the improper interference of others. It is true that we have detective police systems in large cities, but they are wholly unable to accomplish the desired results. The coming and going of persons to and from the republic, and all parts of it, without any kind of registration, State or Federal, is doubtless a very convenient arrangement for criminals, assassins, house-burners, and others, who desire to prey upon citizens and remain unknown; and it may appear to be an easy way for the citizens also, who will thus avoid the trouble of registration when they arrive at or depart from their residence, or other places in the republic; but no plan of human construction can protect men in their "enjoyment of life, liberty, and the pursuit of happiness" unless the citizens are willing to submit to the slight inconveniences arising from a complete practical system of police and registration. This much-needed reform may seem irksome at first, but the annual increase of our terrible record of crime teaches us, that if the criminal classes are not to rule us, instead of our being ruled by the law, we must render their existence and operations next to impossible by the inauguration of thorough police and registration systems, State and Federal.

The numerous selfish combinations whereby railway and other monopolies unite to raise the rates of freight on produce and manufactured articles, so that farmers, miners, and manufacturers are unable to transport them to market with any profit, demand State and Federal legislation for their suppression.

I may here repeat, what I have more at length expounded in the first part of this work, that, together with the inauguration of the above reforms, the whole body of our State and Federal laws, civil, criminal, departmental, admiralty, military, naval, and interstate national,

should be codified, as well as the State and Federal constitutions; whereupon the whole common-law system would be abolished, with its feudal features, monarchical foundations, and its more than eight hundred years of judicial discretion, oppression, and conflicting cases, the published reports whereof have become so voluminous that no one can master them, and but few lawyers afford to buy them. Thus has arisen, in the course of the administration of justice under the common-law system in England and in our country, the suggestive proverb, "There is a glorious uncertainty in the law." The "glory" can apply only to the lawyers and judges; the "uncertainty" is well known to the people, who continually suffer from it. There should not be any such inglorious "*uncertainty* in the law," for it is, of all sciences and knowledge, the most important to the citizen, who is presumed to know it, and yet may be convicted of felony, though ever so innocent, if he does not know it. But who can know the law if it is uncertain? And how unjust it is to require obedience to and enforcement of laws that are uncertain or unknown! and how terrible is the wrong when a court convicts a man of a crime for acts done that were not known at the time of their commission to be criminal! In abolishing the common law, the whole system of equity law should be buried with it, being based upon the subterfuge that equity is only to be resorted to when there is no remedy at common law. Both these systems perpetually increase litigation by reason of the doubts arising in many cases as to which side of the court a party must apply to for relief or redress. There is no occasion, in free States like ours, for the use or practice of the vexing subtleties, mysteries, technicalities, and absurdities of the English systems of common and equity law, which are eminently adapted to perpetuate labor-slavery, pauperism, monopolies, lordly oppressors, and the feudal monarchy and aristocracy of Great Britain, but not to promote the happiness of a free people. Moreover, the expenses of our law and equity system have become so onerous, by reason of its complications and absurdities, that a thorough codification and simplification of the laws and practice is imperatively demanded. The laws can be made plain and simple, and easily understood, if the principles are logically codified and plainly stated in good English, with all necessary forms of procedure, and made strictly applicable to the rights, duties, and obligations of all citizens, upon the common understanding and foundation of a perfect equality of rights, duties, and obliga-

tions. This was done in California in 1870, and has proved a great blessing to the people of that State.

We should place our whole system of Federal taxation upon a rational and economical basis, by removing all duties and imposts whatsoever, and levy only one income-tax to support the government, that should be equitably graduated and bear ratably equal upon all citizens. The tariff system is so expensive, oppressive, unequal, and changeable, so fertile a source of all grades of crime and corruption, that as soon as our people become sufficiently instructed in their public duties and interests to establish a rational money-system, they will abolish all tariffs and declare free trade to be the fundamental principle of our commercial intercommunication.

We should not permit Chinese labor-slaves to be introduced into the republic and sold by their masters, as they now are. We should not permit the importation of felons, professional beggars, stolen children, assassins, and vagrants, the dregs and wrecks of despotisms from various European and Asiatic countries, to our republic, whereby their decaying society is relieved from the terrible influence of such wretches by shipping them here, to corrupt and destroy our own. These and other like evils would be readily remedied by the establishment of a State and Federal police and registration system, as herein proposed.

Every foreigner who comes to settle in this country, and applies for admission to citizenship, should be required to produce before the court clear proofs, that he has abandoned his allegiance to all rulers, orders, castes, and directors whomsoever, of his former residence and country, and all other foreign countries, before he can demand the right of full naturalization; that he is not polygamous, leprous, or beastial; and if, after the naturalization of any person, it shall appear that he still acknowledges or yields any such allegiance as above, proceedings should be instituted to annul the certificate, in any court having jurisdiction, and prosecute the offender for perjury.

Many of the citizens of the United States are habitually avoiding the most important duties they owe to themselves and the State by neglecting to exercise their political functions at primary political meetings and as voters, thereby surrendering the elections to mere politicians, ward managers, ballot-box stuffers, and demagogues, and bringing the whole system of political management into contempt and ridicule. Laws cannot be enforced to compel citizens to vote, but if

no better method be discovered to avert this growing evil, it might be provided by law that all citizens neglecting to exercise the elective franchise for two consecutive congressional elections, without a good excuse, should forfeit their right to hold any office of honor, trust, or profit in the State or Federal government. Citizens should be admonished and warned that the exercise of the elective franchise, intelligently, without fear or favor, in a federative republic, is a sacred trust imposed upon them by their citizenship, and to be faithfully performed at all times when the laws require elections for officers to administer the various functions of government. "The price of liberty is eternal vigilance." It is really a sort of petty treason to the State to exhibit carelessness and negligence in the performance of our public duties as citizens. This is the curse of all our American politics and laws; we are too careless and indifferent to devote time enough to examine into the seaworthiness of our ships of State and the manner of their navigation; we stay away from primary meetings, from the polls, from the courts of justice, and from the halls of legislation, as if we could avoid or remedy the maladministration of our public affairs by hiding from them in a spirit of cowardly indifference.

The establishment of polygamy in the Territory of Utah by the Mormon hierarchy, under a new theocratic despotism claimed to be formed for the lost tribes of Israel, and the influx of Asiatic populations into the Pacific States of the republic, with polygamy established under their customs, demand a remedy, which seems to be unattainable unless the national Constitution is amended so as to invest the Federal government with power to enact laws to suppress this great evil. In that event, national laws should be enacted establishing the monogamic system of marriage throughout the republic, and prohibiting polygamy in all its forms, thereby saving and preserving the female sex from the most abject slavery conceivable, which, during all recorded time, has always debased them, body and soul, under the dominion and curse of polygamy.

We should, finally, establish by law a system of State and National newspaper publications, to give the people official information of the most authentic character, concerning the various administrations of our governments and branches of the public service, the new laws proposed to be made and the laws made, the governmental contracts, expenses, revenues, and losses, with a daily history of all the events

of importance transpiring in the world, without any editorial comments. These papers to be furnished free of charge to all householders, heads of families, teachers, office-holders, army and navy officers, including subalterns of all grades, pensioners, ex-members of all descriptions of offices, and such other citizens as may be designated by law. Such newspapers to have the power to insert advertisements of all business, trade, commerce, etc., at such rates as to pay, if practicable, all the expenses of the publication.

In the first part of this work I have considered the measures a government based upon representative republican principles ought to adopt to secure each citizen in the fit and harmonious exercise of his functions as a physical member of the world of nature, and have drawn the outlines of a system of schools, indicating my view of the measures necessary to aid and protect him in the proper exercise of his faculties as a member of the world of intelligence; in this second part I shall discuss the measures necessary to be adopted and enforced by the State and Federal governments to secure all citizens in their commercial and public intercommunication from all the hinderances and obstructions of all forms of monopoly or despotism.

No reforms demand speedier attention; and should some of them be deemed novel, they have all a pressing claim upon the study and attention of the statesman and the citizen. The preservation of the liberties of the people of these States depends, in my own opinion upon a full, thorough, and comprehensive understanding and practical adoption of the plan proposed herein, or of a similar one in all of its main features.

But something else must be done at the same time in an opposite direction. There has been growing up of late years, in Europe as well as here, another species of despotism, which is equally destructive of the just, equal rights of the people. This is known variously as Nihilism, Communism, and Socialism. It works in the dark, through secret societies, and seeks to make a propaganda by spurious promises of universal equality of all earthly possessions and enjoyments. It would reduce all men to the same state of intellectual culture, the same condition of financial prosperity, and, indeed, to the same condition in every relation of life, — social, political, and domestic. This demand has, not unnaturally, sprung up in the minds of extreme fanatics and ignorant followers, from the almost universal despotism to which nearly all the nations of the world have been

subjected by the few governing classes during nearly the whole period of man's history. It is an extreme reaction against an extreme evil, but it has at any rate no reason to exist in this republic, if the true principles of Liberty and Law can be established. I have treated this whole subject in a special chapter of this part of the book, under the heading, "Capital and Labor, or the Poor and the Rich," and have there shown how the despotism of the Communist and Nihilist must be abolished, as well as that of the corporations and other monopolies. And this can be done only by the impartial rule of Law and Liberty, on a plan of government similar to that laid down in this book.

MONEY.

CHAPTER I.

ORIGIN OF MONEY.

In the most primitive condition of man each individual furnished himself his own necessities. But as men begin to associate together and live in society, this condition changes, and each one seeks to become a specific worker in some direction, while the chosen rulers, teachers, etc., are engaged in no work at all directly productive of the necessities of life.

Thus there arose a system of barter or exchange for the working men, and for the officials a system of payment in kind, which gradually necessitated a system of tokens whereby to effect the interchange. There being yet no State organization sufficiently developed to make any token — no matter how intrinsically valueless — generally current by guaranteeing its permanent reception as such token for the value stated, the people naturally looked around for some substance which had great intrinsic value within small bulk. It was thus that gold and silver — sometimes also jewels and precious stones — became current; so that money, being virtually under no control of the State, except so far as its coining was concerned when gold and silver began to be coined for convenience, became a power over the State within the State, and a continually growing source of monopolies, that, in point of fact, took away from the poorer class all their rights and privileges by a system of most cunningly exercised brokering and commercial despotism.

CHAPTER II.

INVENTION OF BANKING.

Thus money-brokerage and exchange grew into a despotism more absolute than any other on earth, and has ever since retained this despotic power, which, wielded by men unscrupulous from the very nature of the case, has proved the greatest scourge of the human race. For gold and silver assumed a far greater significance than their own intrinsic value warranted, the moment these metals became the generally acknowledged medium of interchange among nations; since that acknowledgment made them virtually representatives of *all* the interchangeable commodities on earth, thereby increasing their value in proportion as this interchange increased. Thus, with the growth of trade, commerce, and manufactures, the money-power assumed enormous proportions, and under the agency of shrewd men could be handled with terrific effect. The histories of Carthage and Tyre, of all the great "free" commercial cities of the Old World, of Phœnicia, Babylon, Egypt, Greece, and Rome, are nothing but histories of the despotism of men and money-corporations that knew how to use skilfully this potent agency; and in later times the same phenomena reappeared in the "free" cities of Northern Italy, Venice, Genoa, and Milan, where a few capitalists ruled with quite as severe a rod of tyranny as any emperor or king of history; nay, often even braving the whole power of emperors and kings, as the Rothschilds are able to do in the present age.

But, as Europe began to advance in civilization, all the gold and silver attainable were not sufficient, even at the fabulous value to which they had been raised, to carry on the necessary business of this new-grown commercial world, and it was the necessity to provide for this state of things which led men's minds gradually to a proper notion of the true nature of money, by inventing banking and exchanges. Through this invention the commercial world was supplied with a vast accession to the amount of money current in gold and silver, an accession which stimulated and made possible the extraordinary commercial activity of that period, and the adventurous undertakings to which it gave rise. The discovery of America, and

the vast amounts of additional gold and silver or money thereby obtained, assisted still further to extend this prosperity in commerce, trade, and exchanges.

CHAPTER III.

CREATION OF MONEY OF ACCOUNT AND OF STATE DEBTS.

But still the State refrained from interfering with this enormous power of the moneyed monopolies. Within the political States of Europe there were thus always two other despotisms besides that of the government itself: the hierarchical and the despotism of money; and under the three the people were left little of their natural liberties and rights indeed. It seems strange that no State ever conceived the plan of taking that tremendous power of money out of the hands of the financiers by establishing a money of its own; but even to-day the old state of things continues, in a measure, as it has been shaped by circumstances and innumerable contradictory individual theories and efforts. John Law, it is true, induced France to adopt a policy of national bank paper money; but the attempt to give it a coin basis, joined with other schemes for private speculation, caused its failure in a sudden panic. Thus, for a long time, the private financiers of Europe alone had the power to increase the supply of currency by the banking system, using drafts and letters of credit as representatives of money at different points in the world; the whole system depending, however, upon constant renewal and extension, and hence constituting those drafts and letters of credit, real money in all respects, or, as it is called, money of account.

The *modus operandi* in which banks manage to effect this interchange of money, without using the "real" money supposed to be at the base of it, I cannot describe better than by quoting from an article in a recent number of *Blackwood's Magazine* on "The Rate of Discount." After referring to the fact that Sir John Lubbock, in analyzing the nineteen millions of the receipts of the banking-house of Roberts & Co., of London, found that only three per cent of these receipts were in cash, the ninety-seven per cent being

checks, drafts, and other means of exchange, the writer of that article says: —

"The mystery of banking, if there is a mystery, will be unravelled by discovering what these ninety-seven things are. What, then, are they? Cheques, bills, dividend-warrants, pieces of paper, which have debts inscribed on them, and empower a bank, if it chooses, to demand and receive the several sums of money mentioned on those papers. Palpably, then, on its receiving side, a bank is a collector of debts. These debts which it has to collect are its resources. These are what it has to pass on and lend to traders. These debts are paid to the bank, beyond doubt; but in what form? In money, the cash which the bank indisputably can demand? By no means. The bank does not ask for money, nor, as to these ninety-seven things, touch it. The mode of settling these debts is quite a different process. The banker, *whose aim is profit*, finding that he has so many debts to collect, at once authorizes some borrowers on discount to sign fresh pieces of paper with sums of money inscribed on them, fresh cheques, and to buy goods with them, and he, the banker, undertakes to pay these cheques when presented. These two sets of paper — the cheques which the banker received to collect, and the cheques which he empowered his borrowers to draw upon him — meet at the clearing-house, and there cancel each other. The settlement of one set of debts is thus effected by the creation of a second. The final result at the bank — nay, the sole action of the bank — is a registry in its ledger of a debt which it owes to its depositor, and of a second, or counter-debt which its borrower owes it in turn. The resources have passed through the bank, have travelled from one set of men to another, and all that they have actually done at the bank in their passage through it is to cause entries to be made under various names. These entries, this action of the bank, required no cash whatever. They were merely items of accounts, lines in the bank's books, recording, indeed, relations of debtor and creditor, — still in themselves only figures. The cheques were not cash, and were not paid in cash. All these paper orders to pay or receive money are nothing but title-deeds to money, — legal evidence of debt, valid and possessing worth only because, as evidence, they are able to persuade a court of law to send the sheriff to collect the specified money from the debtor; but a title-deed and legal evidence able to obtain possession are not the property itself. Beyond doubt they

can procure money, if the banker asks for it; but he does not; and that is a fact, a positive, real fact, of the utmost significance for understanding the nature of banking. Money demanded and retained would bring the banker no profit, whilst permission given to a borrower to draw a new cheque on him, enriches him with a charge for interest. Thus he collects the debt which the depositor gave him to receive through the agency of a third person, a borrower. Something clearly passes through the bank by means of these two entries, and that something is a power of buying goods in the shops and markets. This purchasing power is what the banker transfers on to the borrower: its nature and action we must now proceed to investigate.

"We must return to the debts sent in for collection,—the cheques and other paper orders to receive money paid into the bank. How do they originate? They are all at their origin, omitting subsequent transfers after they have reached the bank, the children of the sales of goods. Let us appeal to the actual events of commercial life, to the buying and selling effected by means of banking. A farmer sells to a miller ricks of wheat of the value of £1,000. He is paid with a cheque, which he deposits with his banker; but of the proceeds of the sale he needs only £400 for immediate purchases and payments; the remaining £600 he will not require, say, for three months. These facts we must suppose the banker to know; so he at once infers that of the £1,000 he has to collect, £400 will be needed to face the cheques drawn by the farmer; the other £600 are at his disposal for three months. He may, if he pleases, collect the whole sum in coin, and store up the unneeded portion in his vaults; but he does not, for what profit would he then get out of banking? That would be to convert himself into a mere warehouseman. He seeks a borrower; he finds an iron-merchant in search of means, and he lends him £600 for three months, on the discounting of a bill. The merchant buys iron, pays for it with a cheque, and all the three cheques meet at the clearing-house,—the first for £1,000, the second for £400, and the third for £600,—and there clear each other. The transaction is completed. The banker, on the settlement at the clearing-house, has to pay as much as he received, and no money passes. The farmer has parted with his wheat, which has been exchanged, partly for some goods which he has bought for his own use, partly for iron. He has become a creditor of the bank for £600, and the

merchant a debtor for the same sum. The grand final result is, that goods have been exchanged for goods; and that is the whole of the matter. The banking has been mere agency, — absolutely nothing more. The banker, manifestly, in all this has been simply a broker, an intermediate agent, and nothing more, — a man who brings two other men together, a farmer who wants to lend wheat, and an iron-merchant who wants to borrow iron."

In another place he expresses the *modus operandi* still more concisely, as follows: —

"By the simple, but effective contrivance of a bill acknowledging a debt and pledging repayment at a deferred day, the trader goes to work with means which are not his own. The large manufacturer buys his cotton or wool with bills, and when they are due he meets them by the help of another set of bills, for which he has in turn sold his merchandise. These — the bills he has received on the sale of his goods — he gets discounted at a bank, and a new round of operations commences. So it is with the merchant. He sells a cargo at Calcutta, and is paid with bills. Without the assistance of a bank he must have waited till the bills were paid before he could have gone on with his trade. A bank takes — that is, buys — his bills, and furnishes him with the means of continuing his business."

After this mode of creating an artificial money by the banking system to an enormous extent had been developed to a considerable degree in every part of Europe by private individuals (the Jews carrying on the greater part of the banking business during the Middle Ages), the governments finally bethought themselves that they also might take advantage of the banking system. This became all the more necessary as their expenses for maintaining luxurious courts and standing armies increased in rapid proportion. But instead of issuing letters of credit they issued bonds, and with the beginning of the Napoleonic wars this addition of money values flooded Europe in a wonderful way. For these State bonds are in reality also nothing but money, their improvement on the letters of credit or paper money lying in the fact that they bear interest. This improvement is, however, a one-sided one altogether, being in favor of the capitalist and against the tax-payers of the State, and has been adopted only from supposed necessity, as a compromise, inducement, and bribe given to the capitalist to recognize these bonds as money.

To exhibit the way in which money values have in this manner

been added to the representative wealth of the world, let us consider the following table of the comparative debts, in pounds sterling, of twenty-six governments in 1862 and 1872: —

	1862.	*1872.*	*Increase.*
Argentine Republic	£3,000,000	£17,500,000	£14,500,000
Austria	250,000,000	300,000,000	50,000,000
Belgium	26,200,000	30,000,000	3,800,000
Bolivia	.....	2,000,000	2,000,000
Brazil	5,000,000	60,000,000	55,000,000
Chili	2,800,000	7,500,000	4,700,000
Costa Rica	.....	3,400,000	3,400,000
Danubian Principalities	.....	5,000,000	5,000,000
Denmark	11,000,000	12,800,000	1,800,000
Egypt	3,300,000	45,000,000	41,700,000
France	396,000,000	970,000,000	574,000,000
Germany	60,000,000	120,000,000	60,000,000
Guatemala	300,000	600,000	300,000
Honduras	.....	5,000,000	5,000,000
Italy	100,000,000	275,000,000	175,000,000
Japan	.....	1,000,000	1,000,000
Mexico	20,000,000	60,000,000	40,000,000
Paraguay	.....	3,000,000	3,000,000
Peru	5,500,000	37,000,000	31,500,000
Portugal	33,000,000	65,000,000	32,000,000
Russia	230,000,000	350,000,000	120,000,000
Spain	150,000,000	306,000,000	156,000,000
Sweden	3,000,000	6,000,000	3,000,000
Turkey	23,000,000	130,000,000	107,000,000
United States	75,000,000	470,000,000	395,000,000
Uruguay	4,000,000	6,000,000	2,000,000
Venezuela	5,000,000	8,000,000	3,000,000
Total	£1,493,109,000	£3,375,800,000	£1,882,700,000

A very noticeable fact in this list is, that the younger States of the world have so quickly perceived the advantages of this system of creating money-credits, and followed so successfully in the tracks of their elders. The Argentine Republic increases her money-credits in ten years from $15,000,000 to $87,000,000, Bolivia from a mere nominal amount to $10,000,000, Brazil from $25,000,000 to $300,000,000, and Egypt from $16,500,000 to $225,000,000.

All in all, it appears from the above table that, within ten years, twenty-six governments of the world have increased the amount of money-bonds circulating, to the extent of $9,413,000,000; England meanwhile remaining stationary in her issue, and Holland alone reducing her debt or outstanding funds some $35,000,000.

I may add, that since 1872 some $7,500,000,000 more have been added to the national debts, most of which, *seventy-five hundred millions*, has been spent for a purely destructive object — war. Within barely three centuries, therefore, the above countries have issued bonds to the almost incredible sum of twenty-four thousand three

hundred and seventy-nine million dollars ($24,379,000,000); and most of this money has been used for the purpose of carrying on wars and maintaining standing armies. On that immense sum the people of those countries have to pay steadily increasing interest. This suggests two questions. The first: Is it a wonder that there is so much poverty and suffering in those countries? and the second: Since those bonds pass and are constantly used as money in all commercial and financial transactions, and since, therefore, that amount of money must be necessary to supply the wants of the people, why not substitute for those interest-bearing bonds non-interest-bearing national legal-tender notes, which would serve the same purpose and relieve the people of the immense burden of taxation resulting from the interest that, under the bond system, must be paid on those debts?

But these *national* debts do not constitute the only interest-bearing bonds that oppress the people. Let us take our own country as an instance: The census of 1870 showed that the aggregate indebtedness of our cities and towns at that time was $328,000,000. The statistics for 1875 of thirty-two cities alone show that their bonded indebtedness was then $525,632,000, which was an increase of 160 per cent since 1870, or at the rate of 32 per cent a year. The increase in Ohio cities had been for those five years 260 per cent, in Massachusetts cities 130 per cent, and in New York cities 119 per cent. Taking 70 per cent as the average increase for the five years, and making allowance for the sinking-funds, it is estimated that the aggregate indebtedness of cities and towns in 1875 was $700,000,000. The debts of the States ($352,800,000) and counties ($187,500,000) in 1870 amounted to $540,300,000. If these debts also increased at the rate of 70 per cent, they must have amounted in 1875 to $918,500,000, and the total indebtedness of cities, towns, counties, and States at that time must have been $1,618,500,000, or about $40 *per capita* for the entire population.

(I may mention, by the way, that there is only one State — West Virginia — which wisely forbids by constitutional provision the contraction of a State debt.)

It will be seen, from the above figures, that the debts of our cities and towns are about twice the amount of our State debts; and to bring the matter still closer home, let it be understood that those $700,000,000 municipal debts rest upon property the assessed value

of which is $6,175,082,158, — that is, the property of those cities is mortgaged for one-tenth of its value; that the annual taxation of those cities and towns is $112,711,275, of which about one-half is for interest on those debts; and that the burden of this has to be borne by a population of 8,576,249. How this operates on each individual is shown by the following table: —

Cities.	*Taxation.*	*Population.*	*Taxation per head.*
Boston	$10,000,000	341,109	$29 00
New York	33,000,000	1,249,868	27 50
Cincinnati	3,000,000	260,000	20 50
Newark	1,700,000	124,929	17 00
Philadelphia	12,000,000	860,000	15 25
Chicago	6,100,000	400,000	15 00
New Orleans	1,800,000	203,439	15 00
Baltimore	4,100,000	300,315	14 50
St. Louis	4,500,000	400,000	11 11

Compared with this exhibit of *municipal* wastefulness, our *State* governments are models of economy. For the great State of New York taxes its citizens only two dollars per head; wasteful Massachusetts only four dollars per head; Illinois only one dollar and ten cents per head, and Missouri only one dollar per head. And the worst of it is, that these debts are constantly increasing. Within ten years, city debts have increased two hundred per cent, taxes eighty-three per cent, and populations only thirty-three per cent. These are frightful figures, and there is only one remedy: to constitutionally prohibit all States, counties, cities, and towns from contracting any debt whatever.

It may be interesting, in this connection, to look over a few tables which illustrate the facility and recklessness with which governments and cities contract these enormous burdens to be borne by the people, called public debts: —

The national debt of England (loan from bankers) was in 1689	£664,263
William of Orange increased it	20,851,479
	£21,515,742
But paid off	5,121,040
Leaving to Queen Anne's administration	£16,394,702
Who contracted further debts of	35,750,661
Leaving British debt in 1713, at the peace of Utrecht	£52,145,363

Then George I. came in, and with him the system of funding the public debt. Under this system, in 1748, at the peace of Aix-la-

Chapelle, the debt had already risen to £79,293,713; and at the close of the Seven Years' War, which brought no advantage to England, in 1763, had nearly doubled, being then £138,865,430. The American war increased it still further; so that at the peace of Versailles, —

In 1783, it had again nearly doubled, reaching the enormous figure of	£249,851,628
During the next ten years it was reduced	5,732,993
Leaving it at the commencement of the French revolutionary war	£244,118,635

Nine years later it was more than double that amount, being then, in 1802, £520,207,101. The wars against Napoleon, which also did England no good, left the national debt in 1814, at the emperor's first expulsion, £742,115,067. His second expulsion required another loan of £45,000,000, and increased the national debt to that extent. It is about the same amount now, — that is, £780,000,000. The interesting question here is, whether the people of England would have voted these loans, through Parliament, if the additional debt, incurred from time to time, had been levied upon them directly, and if they had not been deluded by the supposition that posterity would have to pay the debt, and that they would only have to pay the annual interest on it? As Great Britain reaped no real immediate benefit from those wars, and was not compelled to undertake them in self-defence, I am inclined to believe that the people would have voted down each loan almost unanimously, if they had been told in dry figures that their taxes, which in 1793 amounted to only £17,170,400, would within twenty-two years, in 1815, at the close of the wars against France, amount to four times that amount, — *i.e.*, £70,403,448 a year. Great Britain, however, has done one wise thing in the issue of those bonds, in that it has made them irredeemable, only the interest being payable.

We have another illustration, however, closer at hand, in the financial experience of the city of New York.

In 1830 the public debt of that city amounted to about $900,000, at which figure it stood, with small fluctuations, until 1836, when it was increased to $1,282,103.58. Seeing how easy it was to increase its public debt, the city, in the next year, nearly doubled it, and in the following year again, and then again, so that in 1839 it had already reached the respectable amount of $7,126,790. This was still further

increased to $13,316,292.86 in 1842, at which figure the debt remained stationary for full ten years.

During the decade 1852–1862 it was swelled to $21,695,506.88. Then came six years of still greater extravagance, increasing the debt from $14,000,000 to $35,983,647 in 1868. One year more, and it was $47,691,840. Another year, and $25,000,000 more had been borrowed, making the debt $72,373,552 in 1870. Since then it has risen in the same enormous proportion.

In 1871 it was	$88,369,386
In 1872 it was	95,582,153
In 1873 it was	106,363,471
In 1874 it was	114,979,970

Thus, in nine years — from 1865 to 1874 — the public debt of the city of New York has increased from $35,000,000 to $114,000,000. Of course the rate of taxation has increased correspondingly, to wit: From $2.51 in 1830 to $4.33 in 1840; from $4.33 in 1840 to $6.27 in 1850; from $6.27 in 1850 to $11.99 in 1860; from $11.99 in 1860 to $25.11 in 1870; from $25.11 in 1870 to $32.31 in 1874, on each inhabitant of New York, man, woman, and child. The amount of debt to each inhabitant, which in 1830 was only $3.82, has now reached the enormous amount of $114.98.

Paradoxical as it may seem, therefore, this increase of the public indebtedness, and this alone, explains the increase in the wealth of almost all the nations of the world. The wealth of the United States, for instance, which was about $7,000,000,000 in 1850, rose to $16,000,000,000 in 1860; then, in the next decade, amidst a war which destroyed $9,000,000,000 of property, it rose to the enormous sum of $30,000,000,000, and could never have assumed these vast proportions had not the issue of paper money and bonds furnished the necessary circulating medium. For money credits can be quite as readily transferred from one place to another in the shape of bonds as in the shape of notes; and hence every bond serves as a means of exchange between the various cities of the country, and in another way, too, between this country and foreign countries. The issue of bonds by any State in the world in this way increases by so much the circulation of world-money, and contributes to the wealth of all nations using them as exchange.

If Great Britain nas accumulated more wealth since the beginning of this century than she had during all the eighteen hundred years previous, the explanation can be seen in the above table of debts; the benefit of which Great Britain has enjoyed more than other nations in proportion as she has been the chief negotiator of most of them, and has been able to use successfully, during all the Napoleonic wars, the national currency of the Bank of England during the long suspension of specie payments occasioned by those wars. This absolute and irredeemable money has given her a monetary supremacy over all the nations of the world.

Again, the remarkable prosperity which all Europe, and particularly France, enjoyed since the close of the frightful Franco-German war, when every one expected that France would be as financially ruined as she seemed to be politically, is properly understood only by looking upon the issues of the bonds, or *rentes*, to make up the five milliard loan wherewith to pay the German indemnity, as so much circulating wealth added in the short space of two years to the money of Western Europe.

Nothing is, therefore, more true than the seeming financial paradox, that the contracting of debts increases the circulating exchange-wealth of the world; and this paradox must necessarily remain true until all the nations of the world have swept away their debts by substituting paper money in their place, and issuing enough of it for the requirements of their States. The paradox will then cease to be one by being shaped into its rational formula: that the issue of the necessary amount of money needed by a State is not in the nature of a debt, but the prerogative inherent in the sovereignty of the State to issue the representative of the entire wealth of the State, if necessary, in a circulating medium.

Nothing else, moreover, explains the extraordinary fact, that the discovery of gold in California and Australia did not produce a steady decline in the price of gold, and that the average price of wheat is to-day nearly the same as it was in 1850, when it was about one dollar. What a great outcry was then raised by M. Michel Chevalier of France, and De Quincey in England, about the ruin impending over the world by reason of the fall in the price of gold it was supposed would necessarily follow those discoveries. If gold had then been and had continued to be the only world-money, their

prophecies might have been in part fulfilled. But the fact is, that gold had ceased to be the only world-money long before then, the infinitely greater part of that money being made of paper, — in the shape of checks, drafts, bonds, etc., — as I have shown.

CHAPTER IV.

THE CURSE OF INTEREST.

While thus in one respect the issue of these bonds has been a blessing to the people, by furnishing them the needed means of exchange values, in another way it has been a curse; and as curses all grow with age, so the weight of this curse is to be felt only in the future in all its crushing power. This curse is the interest attached to the bonds, — the inevitable coupon, — for which the State that issues the bond gets nothing, and which, with its accumulating force of compound interest, must necessarily ruin every State ultimately, or force it into bankruptcy.

This curse is the result of cowardice; the State being afraid to assume the same power which some few banking-houses, not within one million times so wealthy as the State, are superstitiously supposed to possess, of converting their issues of paper into money, which is the real philosopher's stone. Like all other superstitions, this one will have to be swept away.

The absurd fact is, that a sovereign State, finding, say, one hundred million more of dollars necessary for its circulation, did not dare to meet the exigency by simply making the amount of money needed, but in a roundabout sort of way issued some paper money, called bonds, and going to capitalists, say one or two large bankers, like the Rothschilds, or Jay Cooke & Co., begged them to be pleased to recognize this paper money as good current money; which these bankers agreed to do upon payment of a large immediate discount and a continuous future semi-annuity, called interest, which is the tribute paid these money-kings.

The State having agreed to the terms of this contract, the capitalists put the profits into their pockets, and told the people of the State

that those paper moneys, or bonds, were good current money; and thus, having made manifest their supreme power over their own sovereign State, looked around for some other power to subdue in the same manner, by compelling it to pay interest tribute.

It is apparent, that when a whole people, constituting a State, puts such an immense monopoly into the hands of a few capitalists, either at home or abroad, it must be ruinous to their liberties and welfare, and that the accumulation of interest compounded in such manner must eventually swallow up the whole property and values of the State. Why should these capitalists have the power to say what is money? Why should not the people themselves, in their organic law, decide upon this matter, and agree among themselves what they all intend to receive as money, thus all pledging to each one the security of the money and the permanency of its value forever? The main objection made is this: that so long as each State of the world is an absolutely separate organization, the paper money of one State can never become the legal currency of any other State, and that gold and silver must therefore always remain the only possible world-money. To what extent this objection is valid, and how it is to be overcome, will be considered hereafter.

There is, however, still another, and even more disastrous view to be taken of this issuing of interest-bearing bonds by a State. It is virtually the mortgaging by the State, as a political body, of all the rights, liberties, wealth, and franchises of its citizens to foreign bondholders; and to what extent this can be carried was very effectively shown in the case of Mexico, when the foreign bondholders, with their claims upon the State of over eighty-three millions of dollars, succeeded in inducing their European governments to impose a foreign emperor upon the Mexican people, plunging them into those fatal wars that were to end in the tragic death of Maximilian.

The same financial fraud is now transpiring under our eyes. The khedive of Egypt was lately compelled to become a fugitive, not because he had too many wives for European conscience, but because he owed too many overdue bonded debts to agree with European conscience; and his brother of Turkey is gently following his example toward a bankruptcy which will cause the dismemberment of the empire.

No State government should have the power to sell its citizens into

possible foreign slavery, thus laying a mine under the political fabric that may at any moment shatter it into fragments. The issue of bonds bearing interest is the exercise of such power. It puts shackles on a nation even more effectually than a mortgage does on the individual who hypothecates his farm.

The issue of paper money, on the contrary, has no such enslaving power. It does not pretend to be convertible into gold, silver, copper, lead, wheat, cotton, or other articles of merchandise, but is a legal tender, and the only legal tender in the State that issues it. If an international clearing-house be established, the failure of any State at any time to make good its balance in the values agreed upon between the several nations composing the clearing-house would not result in war, but simply in the expulsion of such nation from the clearing-house, thereby virtually excluding it from all foreign trade and commerce until it restored its credit by proper measures.

Still more: *the issue of paper money by any federation of States would constitute the strongest bond of union for its citizens.* The most vital interests of every one would be enlisted in maintaining the government and to prevent disintegration. Our late civil war would have been impossible, if a national paper currency had made the fortune and prosperity of every citizen dependent upon the maintenance of the common government and federation.

And in a similar way the further extension of such a system of money to all the civilized nations of the earth, and the establishment by them of an international clearing-house, would unite all those different States together by the closest possible tie, and contribute more than any other measure to prevent the occurrence of war.

CHAPTER V.

THE TRUE NATURE OF MONEY.

The true theory of money is, therefore, this: Money is a necessary means of intercommunication between all the citizens of a State. To leave the control of such intercommunication to the freaks of chance as to how much gold and silver may be found or not, or to put it

within the power of any body of men conspiring together for such control, is in the latter case to endanger the liberties of all citizens, and in the former to leave their welfare exposed to the mercy of the elements of nature. Hence it becomes the duty of the State to take the matter altogether and exclusively under its own control, to determine what shall be money, and to provide it at all times in sufficient quantities to meet the necessities of the people, increasing the quantity in proportion as the growth of the trade, commerce, and products of the State require it. In this one proposition lies concealed the philosopher's stone, ages have exerted their best efforts to discover.

The question is, how much money should be issued? The whole amount of money circulating in a State represents the whole interchangeable commodities within the State; hence it is in one way altogether the same how much or how little money the first issue is, that issue gaining its standard of value not from its convertibility into coin, but from its convertibility into the purchasable products of the State. But as gold and silver, with their divisions into dollars and cents, have once been adopted as a standard of value, it is as well to retain that standard; and hence a well-organized State should issue in tokens of the least possible intrinsic value — say paper tokens — such an amount of dollars and cents as would represent, at the adopted standard, all the interchangeable commodities of the State; and increase this sum in proportion to the increase of the commerce, manufactures, and other enterprises and riches of the State, so that money should never be scarce, but elastically adapt itself to every change in the demand and supply.

The amount needed at first for circulation, as well as the successive additions required, can be determined with ease by a proper system of statistics, which for that purpose ought to be gathered at least once in each year, and can be for many years admirably regulated by calling in the outstanding interest-bearing bonds, and effecting those internal improvements of our rivers, railroads, canals, etc., of which I have elsewhere given an outline. Thus the people will be at all times supplied with money sufficient to meet their wants and circumstances, as they ought to be furnished; since money is as necessary to them as the air they breathe, and must be furnished them in larger proportions as they grow and require more for their daily use; and they would be relieved of a burdensome tax called interest,

which, in its usual compound character, is ultimately certain to impoverish the State.

In other words, money must be made a blessing to the people, and not remain the means whereby a few place shackles on the many, and establish the most oppressive and crushing of all despotisms, which always falls with double force upon the laborers and producers in the State.

It has been made an objection to such money, — which, from the very nature of the case stated, must be of a substance that has no intrinsic value, — that it is merely an issue of rags. Indeed, our present legal-tender greenback has again and again been ridiculed as rag-money. Unquestionably our greenbacks are made out of rags. But so are other very valuable things, — things that even the gold men respect very highly. What is our flag? Also a rag! Of what are our State and Federal constitutions made? Not of gold or silver, but of rags! Yes, they are actually printed on paper, made of *rags!* the same constitutions that have been the admiration of the world and the pride of every American for nearly a century, and will remain so, I hope, until the end of the world. What are our Bibles, prayer-books, laws, histories, and literature made of? Rags! What are the works of Homer, Virgil, Dante, Shakespeare, Milton, Dryden, Scott, and Shelley? All rags. But is any gold man so fanatical as to wish the destruction of these rags? Is one of them so reckless as to declare the Constitution and laws of the United States invalid, because they are printed on "rag paper," even as our greenbacks are? Would those great works be of more value if printed on gold? Does not their whole value arise from the stamp of genius, as our paper money derives its whole value from the imprint of the government?

During the rebellion there were men who spoke of our flag as the "Federal rag." Who dares now to trail it in the dust or trample upon it? Not even the gold men, who did their best to dishonor that flag in the late war, to increase their coin premiums. Do they know what that "rag flag" represents? The whole sovereignty and power of the American people. What does the "rag money" represent? The sovereignty, honor, credit, and solvency of the American people; and whoever insults it, equally insults the "rag flag." The declaration of emancipation, also a mere piece of paper, liberated

slaves valued at $4,000,000,000 by their man-buying and selling masters, — and by what virtue? Because it represented the sovereignty and power of the American people! Would it have been more effective if engraved on gold plates?

But the coin-worshippers themselves are beginning to advocate a money system which is essentially based upon the principle that underlies my paper-money system. I allude to that portion of them who advocate an unlimited silver-money issue.

I will explain this; first, however, premising the following facts regarding the coins of the United States, taken from a work on the subject by Judge Warwick Martin. These coins are as follows: —

First. The one-cent bronze coin, under the law of 1864, is composed of ninety-five per cent pure copper and five per cent tin and zinc. A pound avoirdupois of this metal costs twenty-five cents. The pound is coined one hundred and sixty cents, the legal value of which is $1.60. The commercial value of the metal is twenty-five cents, which, deducted from $1.60, leaves $1.35 as the difference created solely by law. This money is now legal tender to the extent of twenty-five cents in one payment, but is gladly received at par to almost any amount. The same difference will be found in the two-cent piece created by the same law.

Second. The five-cent nickel piece, created by the law of 1866, of which there are now $5,000,000 in circulation, is composed of seventy-five per cent copper and twenty-five per cent nickel. A pound avoirdupois of this metal will coin one hundred of these pieces, the legal value of which is $5. The pound of metal costs seventy cents, — a difference between the commercial value of the metal and the legal value of the coin of $4.30 in favor of the legal value.

Third. Subsidiary silver coins under the law of 1853 were a small fraction over seven per cent light. The commercial value of the metal in this coin would be seven per cent discount for full legal-tender silver coins; but up to $5, for which this coin is made by law legal tender, the money is equal to gold in the United States; and it is paid out by the government in sums of $100 for gold coin at par. Above $5 it is bullion, seven per cent light weight, in the hands of the people.

Fourth. The subsidiary coins under the law of 1873 are made to correspond with the trade dollar of 420 grains, and, compared with it,

are some eight and a half per cent light, and with the trade dollar are legal tender for $5 only. Two of these half-dollars contain 385.8 grains standard silver, 34.2 grains less than the trade dollar. The commercial value of the two half-dollars is eight and a half per cent less than the dollar; but the legal value of the two halves and of the dollar is the same, both being legal tender for $5 only.

And here let me ask, incidentally, of coin-worshippers generally: What becomes of your theory of the intrinsic value of money, if you see no objection to coining $1.60 worth of cents out of a pound of copper, the "intrinsic value" of which is only twenty-five cents; to coining $5 worth of "nickels" out of one pound of nickel metal, the "intrinsic value" whereof is only seventy cents? If there is no objection, why should objection be raised against paper money on that score, since it has also unquestionably a certain "intrinsic" value, — the paper, cost of engraving, etc., — and since the amount of the intrinsic value clearly counts for nothing, so far as the copper and nickel coins are concerned? This one fact alone overthrows the whole "intrinsic value" theory.

Another point in this connection: Senator Sherman, in a speech delivered in the United States Senate, after stating the purport of our legal tenders to be as follows: "The UNITED STATES *promises to pay the bearer* ONE DOLLAR," proceeds: —

> This note is a promise to pay one dollar. The legal effect of this note has been announced by the unanimous opinion of the Supreme Court of the United States, the highest and final judicial authority in our government. Thus, then, it is settled that this note is not a dollar, but a debt due, — a promise to pay a dollar in gold coin. Congress may define the weight and fineness of a dollar, and it has done so by providing a gold coin weighing 25.8 grains of standard gold 0.9 fine. The promise is specific and exact, and its nature is fixed by the law and announced by the court.

Senator Sherman admits, therefore, that Congress may define the weight and fineness of a gold dollar. It has defined it at present at 25.8 grains of standard gold, 0.9 fine. Congress having thus absolute power to "define the weight and fineness of a dollar," can, therefore, even according to Senator Sherman, and indeed all the gold-coin worshippers, reduce the value of its gold dollars to any amount it pleases, by decreasing the standard of its weight and fineness, — making it, indeed, so low that a gold dollar will really have no more intrinsic value than a well-engraved piece of paper.

In regard to the silver coin there is also, as will be seen, a difference of some seven per cent between the commercial value of the metal and the coins themselves. Whence does this difference arise? Why should twenty-five cents' worth of copper metal, when coined, be able to purchase in the market one hundred and sixty cents' worth of copper coins? and ninety-three cents' worth of silver, when coined, be able to purchase one hundred cents' worth?

Is it not evident, then, that the so-called silver men are, at least in theory, advocates of my system of an absolute national money? Do they not recognize and admit that it is simply the *legal-tender* quality which is given to the metal by the government stamp and authority that causes the marvellous transformation of value in silver; and that there is no earthly reason why that same sovereign power of government could not be exercised upon any other material substance? Gold and silver were originally selected as money-tokens probably because of their comparative scarcity, which in the times of arbitrary despotisms formed a sort of check upon the money-issuing power of government. In republican Sparta, however, this was not considered necessary, and iron was the metal selected for coining. But under our form of government by the people, there is no danger in selecting any sort of substance for the purpose of converting it into money. Besides, silver has recently been discovered in quantities so large, that were it not for the large demand still made upon the metal for coining purposes, its "commercial value" would sink even still lower than it is now; for as yet nearly all the nations of Europe, including Great Britain, France, Belgium, Switzerland, Germany, Italy, Austria, and Russia, use subsidiary silver coins in which the commercial and legal values differ, as they do in England and the United States. And silver is still a legal tender at this time in the following countries: France, Italy, Belgium, Switzerland, Austria, India, Netherlands, Greece, Russia, Spain, the Argentine Confederation, Bolivia, Canada, Chili, Colombia, Costa Rica, Ecuador, Guatemala, Hayti, Honduras, Mexico, Nicaragua, Paraguay, Peru, San Salvador, Uruguay, Venezuela, Morocco, Ceylon, China, Japan, Java, Siam, and the Sandwich Islands.

How greatly this demand for silver for coining purposes, and the steady increase in the production of silver from mines, affects the commercial value thereof, can indeed be strikingly shown by the

fact that when silver was demonetized — that is, constituted no longer a legal tender for any but very small sums — in Germany (1871) and in the United States (1873), the price of the metal fell in London from about sixty pence per ounce to forty-six and a half pence per ounce. And although it has since risen again, owing to heavy demands for silver from China and India, and the fact, that the United States has reinstated silver as full legal tender, the increase in the production of silver is so much larger than it was formerly that its market value may at any time fall even considerably lower than the lowest price it has yet reached. This increase in silver production is partly indicated by the following tables: —

Estimate of Gold and Silver Produced in the United States from 1845 to 1879, inclusive.

[From Official Reports by the Director of the Mint of the United States.]

Year.	Gold.	Silver.	Total.
1845	$1,008,327	From 1849 to	$1,008,327
1846	1,239,357	1858.	1,139,357
1847	889,085	Estimated	889,085
1848	10,000,000	product,	10,000,000
1849	40,000,000	$50,000 per	40,000,000
1850	50,000,000	annum.	50,000,000
1851	55,000,000		55,000,000
1852	60,000,000	(The silver	60,000,000
1853	65,000,000	mines of the	65,000,000
1854	60,000,000	Unit'd States	60,000,000
1855	55,000,000	were	55,000,000
1856	55,000,000	discovered	55,000,000
1857	55,000,000	in 1859.)	55,000,000
1858	50,000,000	$500,000	50,500,000
1859	50,000,000	100,000	50,100,000
1860	46,000,000	150,000	46,150,000
1861	43,000,000	2,000,000	45,000,000
1862	39,200,000	4,500,000	43,700,000
1863	40,000,000	8,500,000	48,500,000
1864	46,100,000	11,000,000	57,100,000
1865	53,225,000	11,250,000	64,475,000
1866	53,500,000	10,000,000	63,500,000
1867	51,725,000	13,500,000	65,225,000
1868	48,000,000	12,000,000	60,000,000
1869	49,500,000	12,000,000	61,500,000
1870	50,000,000	16,000,000	66,000,000
1871	43,500,000	23,000,000	66,500,000
1872	36,000,000	28,750,000	64,750,000
1873	36,000,000	35,750,000	71,750,000
1874	33,490,902	37,324,594	70,815,496
1875	33,467,856	31,727,560	65,195,416
1876	39,929,166	38,783,016	78,712,182
1877	46,897,290	39,793,573	86,690,963
1878	51,206,360	45,281,385	96,487,745
1879	38,899,858	40,812,132	79,711,990
Total thirty-five years	$1,487,678,301	$422,722,260	$1,910,400,561

In this connection the following tables will also be of interest: —

I.

Estimated Annual Production of the Precious Metals throughout the World, A. D. 1878.

[Prepared for the American Almanac by David M. Balfour, of Boston.]

AMERICA.

Countries.	*Gold.*	*Silver.*	*Total.*
British Columbia	$3,000,000	.....	$3,000,000
United States	36,000,000	$47,000,000	83,000,000
Mexico	1,000,000	15,000,000	16,000,000
Central America	10,000,000	1,000,000	11,000,000
Colombia	10,000,000	1,000,000	11,000,000
Brazil	4,000,000	1,000,000	5,000,000
Peru	1,000,000	5,000,000	6,000,000
Chili	2,000,000	3,000,000	5,000,000
Buenos Ayres	1,000,000	1,000,000	2,000,000
Argentine Republic	1,000,000	1,000,000	2,000,000
Other countries	1,000,000	1,000,000	2,000,000
Total	$70,000,000	$76,000,000	$146,000,000

EUROPE.

Countries.	*Gold.*	*Silver.*	*Total.*
Russia	$17,000,000	$1,000,000	$18,000,000
Austria	2,000,000	1,000,000	3,000,000
Prussia	1,000,000	1,000,000	2,000,000
France	1,500,000	2,000,000	3,500,000
Spain	1,000,000	1,000,000	2,000,000
Other countries	1,000,000	1,000,000	2,000,000
Total	$23,500,000	$7,000,000	$30,500,000

ASIA, ETC.

Countries.	*Gold.*	*Silver.*	*Total.*
Japan	$1,500,000	$1,000,000	$2,500,000
Borneo	5,000,000	.....	5,000,000
China	2,000,000	.....	2,000,000
Archipelago	6,000,000	5,000,000	11,000,000
Australia	18,000,000	2,000,000	20,000,000
New Zealand	8,000,000	1,000,000	9,000,000
Africa	5,000,000	1,000,000	6,000,000
Oceanica	1,000,000	1,000,000	2,000,000
Total	$46,500,000	$11,000,000	$57,500,000
Grand total	$140,000,000	$94,000,000	$234,000,000

II.

Estimated Amount of the Precious Metals calculated to have been obtained from the Surface and Mines of the Earth from the Earliest Times to the close of 1879.

[Estimate based, in part, upon a work on "Gold and Silver," by the Russian Councillor Osreschkoff, published in 1856.]

Period.	*Gold.*	*Silver.*	*Total.*
A. C	$1,415,000,000	$2,913,000,000	$4,328,000,000
A.D. to 1492	3,842,374,000	521,000,000	4,363,374,000
1493 to 1842	2,726,000,000	5,800,000,000	8,526,000,000
1843 to 1852	907,000,000	450,000,000	1,357,000,000
1853 to 1862	2,220,000,000	560,000,000	2,780,000,000
1863 to 1879	2,958,000,000	1,071,000,000	4,029,000,000
Grand total	$14,068,374,000	$11,315,000,000	$25,383,374,000

III.

Estimate of the Aggregate Production of the Precious Metals in all Countries from 1493 to 1875.

[From A. Soetbeer's "Edelmetall Produktion seit der Entdeckung Amerikas bis zur Gegenwart." Gotha, 1879.]

Countries.	*Silver.*	*Gold.*	*Total.*
Germany	$269,731,339	.....	$269,731,339
Austria-Hungary	264,961,603	$226,248,247	491,209,850
Various European countries	251,888,604	.....	251,888,604
Russia	82,880,291	507,749,653	590,629,944
Africa	.....	359,325,340	359,325,340
Mexico	2,600,280,659	130,174,396	2,730,455,055
New Granada	.....	596,501,675	596,501,675
Peru	1,065,357,084	80,327,582	1,145,684,666
Potosi (Bolivia)	1,286,999,947	144,398,100	1,431,398,047
Chili	89,024,298	129,467,140	218,491,438
Brazil	.....	509,347,107	509,347,107
United States	179,874,123	995,126,015	1,175,000,138
Australia	.....	889,963,800	889,963,800
Various countries	68,244,000	74,458,346	142,702,340
Total	$6,159,241,948	$4,643,087,395	$10,802,329,343

One of the strangest facts attending the late remonetization of silver in our country is this: that it utterly broke down the exclusive rule of the gold men. At first, when greenbacks were not yet made receivable for duties and imposts, the metallic-money advocates clamored for the withdrawal of all paper money, crying aloud, that only the precious metals — gold *and* silver — could be coined

into real money, — money of intrinsic value. The wonderful discoveries of silver ore in the Madre and Nevada ranges, soon after occurring, led to the demonetization of silver. For, the men who monopolized the gold, led by the Rothschilds and other Jewish and Christian bankers, then all at once discovered that silver was not a "precious metal;" it being understood that these bankers would not be able to control the money market if the gold currency — comparatively of small amount — were annually increased to an incalculable extent by the currency manufactured out of the newly discovered silver-mines. Why, the control of the world's money would pass out of their hands, and what then would become of their "profits?" It soon became apparent, however, that with the withdrawal of silver from the money market as legal tender, universal bankruptcy must follow hand-in-hand. This suited the banking people well enough, since it would enable them to buy out farmers and merchants at an insignificant sum; but it did not suit the people. So, after a long and bitter fight, the people succeeded in having silver remonetized; and behold the result!

Offer a man $1,000 of "precious metal" money in silver, and he turns his back on you in disgust, begging on his knees for "rag money" in place of it. He prefers the rag even to gold. Thus paper money at once became again the favorite medium of money exchanges, and the remonetization of silver, with the remonetization of greenbacks in October, 1878, by receiving them for duties at the custom-house, has made the greenback even the superior of gold, and at a considerable premium above silver.

But, to return to our subject, namely, the real value of the so-called precious metals, when considered apart from the value artificially given them by using them as the exclusive means of money exchanges. Benjamin Franklin says: "Gold and silver are not intrinsically of equal value with iron. *Their value rests chiefly in the estimation they happen to be in among the generality of nations. Any other well-founded credit is as much an equivalent as gold and silver.* Paper money, well founded, has great advantages over gold and silver; being light and convenient for handling large sums, and not likely to have its volume reduced by demands for exportation. *On the whole, no method has hitherto been formed to establish a medium of trade equal in all its advantages to bills of credit made a general legal-tender.*"

But in spite of Franklin and other eminent American statesmen, it is objected that this plan of mine of a new money-basis is a purely idealistic, new, visionary, and altogether impracticable scheme. Practically, I may refer to the fact, that the Empire of Russia has such a money scheme in constant operation. It is very true, that Russia also recognizes gold and silver coins as legal-tender money, when stamped with the stamp of the Russian government; but it is none the less true, that the Russian government has issued, and does continually issue paper tokens, stamped with the stamp of the government, which are equally legal tender throughout all the dominions of Russia. Its present paper-money circulation is about $850,000,000, and irredeemable in coin. In the same way the French Republic authorized the Bank of France to issue so-called irredeemable paper-money, besides coining gold and silver pieces; and that irredeemable paper-money is there a full legal tender for all debts, duties, and taxes, and has the same value in the money market that those gold and silver coins have. I might furthermore add, that of all European countries, France, which has authorized precisely such an absolute, irredeemable paper-money as constitutes the basis of my system, is, next to Russia, the most prosperous nation of Europe; that England owes its financial prosperity altogether to its paper-money system, — for the Bank of England, suspending specie payment as it does in any crisis, *ad libitum*, is virtually organized on the basis of the system proposed by me; whilst the German Empire, of all European nations, most stubbornly given to the notion that gold metal alone is a proper measure wherewith to interchange commodities, is plunged into constantly growing financial distress.

Now, if France and Russia can thus make use of irredeemable paper-money as a medium of commercial interchange, with evident advantage to the citizens of those nations, and if one of those countries (Russia, at least) has done so for years and years, why should my proposition be cried down as an innovation upon all previously recognized financial maxims, such as could be attributed only to the wild imagination of impractical dreamers? Nay, have we not ourselves had and used every hour of the day such a money these past eighteen years, and found it to enhance our national prosperity beyond all previous experience?

The demonetization of silver in 1873, and the Specie Resumption Act of 1875, to destroy the greenback circulation in 1879, caused

such distress among the manufacturing and trading classes, that about eight hundred thousand persons were driven into bankruptcy for the want of a sufficient supply of money circulation. The remonetization of silver in 1878, followed by the order of Secretary Sherman to take greenbacks at par with gold for duties on and after the 1st of October, 1878, removed the impending fear of the greenbacks being destroyed in January, 1879. The whole paper currency of the national banks and the greenbacks — about $740,000,000 — was thus thrown into general circulation again, and the *coin basis* became a full legal-tender *greenback basis*. No one desired a coin redemption. The greenback has thus become the equal of the legal-tender demand-note of August, 1861, because it is a full legal-tender, subject to be redeemed in silver on demand at the treasury, and in gold also, if the secretary has it on hand. The result has been what I predicted it would be, in the pamphlet entitled "Gold, Silver, and Paper as Full Legal-Tenders," published in February, 1877. The seven years' war of the money-power to destroy the greenbacks and return to a coin-basis system of banking has terminated in establishing the validity of this national absolute money forever. It is the full legal-tender quality of the greenback that gives it value for circulation, not the provision of law that you may get silver coin, or perhaps gold, for it at the treasury.

Many years ago one of the foremost of German patriots and philosophers, John G. Fichte, — the first of his age who foresaw and foretold the unification of the German States under the leadership of Prussia, — urged the adoption of a money system similar to that proposed by me, mainly upon this ground: that it would cement a united German Empire closer together than any other measure could effect; and the renowned minister of Prussia, to whom he dedicated his work, — Von Struensee, — far from dismissing the scheme contemptuously, as the impracticable dream of an idealist, gave it his careful consideration, and expressed to the author his high appreciation of the work. The proposition, indeed, is very simple: A nation requires a national money. It must be a separate sovereign financial body, just as well as it is a separate sovereign political body amongst the nations of the earth. They *must* accept our financial as well as our civil, criminal, and political legislation, and they will do so. A nation cannot afford to be dependent upon foreign countries for its money medium of interchange; nor can it afford to be dependent

upon the money-monopolists amongst its own citizens. Omnipotent in executing its own laws, in calling forth armies, in building fleets, and providing in infinite ways for the public welfare, — ought a government to be impotent in that one matter of creating an absolute money, without which it can execute none of those prerogatives?

We are told that the regulation of money does not pertain to the functions of government, but should be left exclusively to the people themselves, and that government should confine its activity simply to the protection of the life, liberty, and property of its citizens. I fear, however, that this desire to limit the authority of the government as much as possible, overleaps its own object. The mere fact, that every nation has been compelled to erect mints, and coin the gold and silver brought to them by impressing the government stamp upon the metals, shows that government cannot, at any rate, leave the entire regulation of the money question to its citizens. It must interfere to some extent, and the only question is, how far its interference shall extend. I think I have conclusively shown that government must take control of the whole subject of money issue, and forbid every outside interference with it. Under any other condition, a scientific money-system is impossible. The United States government might, with equal propriety, confer its political and sovereign prerogatives — to make war and to levy taxes — upon the States and private corporations, as to allow the States and banks to create money. The Federal Constitution speaks in unmistakable terms on this subject. The founders and statesmen of our republic had no doubts in regard to it. They saw clearly the danger of giving the States and private corporations the right to create money. They wanted the nation at large to be the exclusive maker of this money,— the nation, which alone could afford it adequate support by its wealth, sovereignty, and power. But popular prejudice in favor of specie was still too strong for them at that time. Even as it needed "a great war and the most serious necessities of the State before the founders of the Bank of England could introduce amongst the people of Great Britain the blessings of paper money," to which, though it was irredeemable from 1797 to 1822, "that country has been mainly indebted for its subsequent prosperity," [1] so it required a great civil war and irresistible necessities to force our government, in 1861–4, into the doing of what

[1] The "Economy of Capital," by R. H. Patterson, p. 456.

should have been done at the time of the formation of our Union: the issue of a national money, not redeemable in specie, but made by law a legal tender all over the country, and receivable by the government for all taxes and dues, with the unfortunate exception of duties and imposts, for which only the demand-notes of 1861 and specie were made receivable. All that remains to be done now is to carry out that system of legal-tender money to its logical completeness, in making it also receivable for imposts and duties by act of Congress, in repealing the acts creating the national banks, and redeeming their notes with the new government legal-tender money, and in issuing that money for the purchase and cancellation of our interest-bearing bonds, thus making it the only money in the country, and thereby demonetizing gold and silver forever. The national banks will thus be divorced from the treasury and from Congress, and it will be their interest to organize under State laws as joint-stock banks, subject to similar regulations as those that the national-banking laws now impose upon national banks. The unthinking and ignorant may call this a visionary, impractical scheme, the mere suggestion of which would be received everywhere out of America with laughter and ridicule. It may, therefore, not be inappropriate here to state that, apart from the proofs furnished by the critical and historical parts of my book on "Absolute Money," which demonstrate clearly that the financial world has steadily drifted nearer to the adoption of such a money scheme as I have proposed, and apart from the open advocacy of such a national paper-money system by the most brilliant American statesmen of every period of its history, from its foundation to the present time, it has numerous supporters amongst the foremost of European financiers. In illustration, I will cite only one, Mr. R. H. Patterson, an Englishman, a Tory, and a thorough conservative, who is recognized as the ablest writer on finances in all England, and from whose writings I have quoted liberally in various parts of this book.

The gist of my whole money-scheme lies in the true definition of money, as I have elaborated it in that book; and this is what Mr. Patterson says on the subject: —

"The quality which gives to gold, paper, and other substances their circulating power as money, is simply the agreement on the part of nations to recognize those substances, either of themselves

or when presented in certain forms as representatives of wealth."[1] And again: "Demonetize gold, * * * and no man would give a dollar for a whole ounce of it. * * * It would descend from its high estate to the rank of an ordinary metal." And on page 25: "Demonetize the precious metals, and a laborer would no longer give a week's work for a bit of gold and silver, which he could do nothing with except to give to his wife as an ornament. Men would no longer consent to be paid in bits of metal which no grocer, or butcher, or tailor would accept in exchange for his goods."

In another part of his work (pp. 447, 451) he expresses himself as follows: —

"Paper money has already established itself as a *representative* of gold money; what it must next do is to establish itself as a *substitute* for gold money, just as the gold coins of old, from being representative of oxen, became by-and-by a substitute for them in commercial transactions, and invested with a recognized value of their own. * * * Startlingly various as are these forms of currency, [in various parts of the world] they all agree in this: that they are recognized by the people as mediums of exchange, *and this is the sole, indispensable requisite of any form of money.*"

This, however, is only a collateral plea in favor of my money-system, which must stand or fall by its claim that it is the only rational scheme of finance in this new era for a coöperative government, such as ours professes to be. This claim I have endeavored to substantiate to the best of my ability: firstly, negatively, by showing that all other systems of money — whether of gold or silver coins, or paper money issued on a so-called specie basis, or on collateral interest-bearing bonds, or on real-estate mortgages — are inadequate, productive of financial disasters, and oppressive upon the people; and secondly, affirmatively, by showing that my system of absolute money is adequate for all possible contingencies, subject to no fluctuations, and the cheapest, while at the same time the safest, of all money-issues.

Another prominent writer on the subject recognizes the urgent necessity of introducing such a system of an absolute national money, on the principles stated by me, in the following words: —

"*A declared value, backed up by the honor, faith, and stability of an enlightened government, is the only kind of a value which can ever*

[1] See "Economy of Capital," p. 20.

be considered a standard or fixed value. Gold and silver, pearls and diamonds, cowrie shells and copper, cloth and ivory, are sure to have a fluctuating value, and human legislation nor arbitrary edict can ever fix an unalterable value upon them.

"But with the government paper token there need hardly be any variation in the supply, and none in the value. *A rapidly growing country like the United States would of course need to increase its volume of paper money at certain times, so as to keep pace with the extension of its commerce and the accumulation of actual wealth in the shape of population, improved farms, enlarged cities, increased productions, etc.* The time is fast ripening for a broader consideration of the question of what shall be the money of civilized nations, than has heretofore been accorded to it. The commerce of the world has to a great extent been carried forward upon faith in others. Promises to pay coin have accomplished more, and still accomplish more, than payments of coin. With this fact as a central plank, cannot a *grand international financial platform* be erected, upon which all enlightened nations may equally and securely rest?"

I shall show, further on, that my system of an absolute national money tends precisely to the establishment of such an international financial platform, through an international clearing-house, and partly also through international postal, savings, and exchange banks.

CHAPTER VI.

HISTORY OF OUR PAPER MONEY.

In the year of the Declaration of Independence of the United States, the Continental Congress, having no control of sufficient gold and silver to carry on the Revolutionary war, was forced by that great exigency to establish a paper currency, and authorize the issue of such money as the only available means for exchanging values and prosecuting the conflict with Great Britain to a successful issue; but it had no clear comprehension of the sovereign right of the new republic to create a national money of its own. During the year 1776, $20,000,000 were issued, and before the close of the war more than $357,000,000 of Continental currency was in circulation in the United States.

While the colonists were battling for their right to a free representative government against the despotism of the British Parliament, they did not seem to be aware of the fact that an equally dangerous money-despotism, controlled and wielded with great skill by their adversary, could be counterbalanced only by a national financial system of their own creation. To a certain extent this was accomplished by the plan adopted; but if that Congress had made its currency, to the exclusion of all other money, a legal tender for all demands, public and private, secured as it would have then been by the wealth and resources of the nation, even then a permanent national money-system would have been established by the new republic, facilitating the triumph of its arms, compensating it for the great losses and expenses of the war, and at the same time breaking the shackles of the coin-despotisms of the Old World in our republic, which to this day continue to oppress and embarrass our people.

The Continental money was created merely as a temporary war-measure, necessary to insure success to our arms in that memorable conflict, and was redeemable in gold and silver of foreign countries; but as soon as the crisis was over it was repudiated in bad faith, to the ruin of many patriotic soldiers and citizens, and the injury of our national credit and financial standing among nations. If that currency had been made a full legal-tender when issued, the total amount of the issues would not have been one-fourth of the amount repudiated in 1782–3, and would have greatly added to the prosperity of the people of the States, by giving them a universal national money-medium of intercommunication to develop their inexhaustible resources, to unfold to full activity all the producing, manufacturing, trading, and commercial industries of the people, and to defend them against and emancipate them from all foreign as well as domestic monetary monopolies. After that repudiation great financial distress ensued, paralyzing all kinds of business for the want of money to carry it on, until the year 1791, when the establishment of a United States bank by Congress relieved, in a great degree, the previous money-pressure.

The charter of that bank expired in 1811, and no other money-tokens remaining but gold and silver, and a small quantity of State bank-notes based on coin, wholly insufficient in quantity to furnish a circulating medium for the increasing business and commerce of the people, another period of suffering for the want of money ensued,

and the war of 1812 with Great Britain so increased it, that a second United States bank of issue was chartered for twenty years, in 1816, which again temporarily relieved and restored the business activity of the people.

Meanwhile the States of the republic began to charter banks, with power to issue paper money, in violation of the spirit of the Constitution, although the Federal Supreme Court, under the pressure of an apparent public necessity, held their charters to be valid. The paper-money issues of the Federal and State banks furnished a large addition to the circulation and exchanges; but different kinds of money were thus introduced, in addition to coin, and the almost universal depreciation of the value of many of the State bills, at any considerable distance from the place of their issue and redemption, injuriously affected business and commerce, by subjecting such bank-notes to brokerage discounts, and thereby forcing the banks into a continual warfare with each other, to compel coin redemptions for the protection of their several issues.

This kept alive and flourishing the coin-basis system of finance, and finally created a conflict between the Federal banks and State banks, that culminated in 1833, when President Jackson, espousing the cause of the State banks, compelled the government moneys to be removed from the United States Bank to certain State banks, which became the depositories of the public moneys and the authorized agents of the treasury. The opposition of the president and the Democratic party, and the removal of the deposits, caused the downfall of the Federal bank, and the national credit and moneys passed to the State banks, that were thenceforth known as "pet banks."

Then arose an era of irresponsible, illegal State banking, upon a coin basis, — fraudulently so called, — controlled exclusively by private corporations of the States, for their own profit, resulting in enormous issues of paper money, causing an extravagant inflation of the currency, and increasing speculative manias to such an extent, that nearly all those banks suspended in 1837, with an irredeemable currency flooding the country. The universal distress and prostration of all business and trade was such that Congress passed acts, in 1837, 1838, and 1839, for the issue of treasury-notes to the amount of $10,000,000 in each of those years, for the relief of the people, by furnishing them a national money amply secured by the credit and vast resources of the republic.

These laws gave some temporary relief to the extraordinary stringency of the money market, but the government did not yet perceive the true remedy for financial revulsions to be a national currency, and these wise acts were repealed in 1841, and Congress in the same year deemed it necessary to pass a national bankrupt act.

Those State banks that did not forfeit their charters or discontinue their business, one after another resumed specie payments, and the working of the monetary system under their management, from 1843 to 1861, illustrated the ruinous results arising from the delegation to States or corporations of the sovereign power of making money or issuing notes on a coin basis to form a circulating medium for the people of the United States. That system of a coin basis has invariably failed; as it had failed in 1809, 1816, 1821, 1827, 1837, and 1842, so it now again failed in 1846 and 1857.

This frequent recurrence of panics during that period demonstrated the fallacy of keeping up a permanent circulation of paper money, issued by divers State banks, that was always to be redeemable in specie on demand. The mutual jealousy of such banks will ultimately reduce the circulation to the coin on hand, and a great scarcity of money will ensue; or if the issues greatly exceed the specie in their vaults, and a demand for gold arises, as in 1837–57, the banks so organized must suspend specie payments, to the ruin and distress of all persons depending upon their circulation for the transaction of business. The producing, laboring, manufacturing, and trading citizens of the United States have lost in the years prior to the rebellion, by this coin-basis system of finance, over one thousand millions of dollars.

At the breaking out of our civil war in 1861, the Federal government had no paper money outstanding, and gold and silver were its only recognized standards of value. It immediately became apparent, that sums of money immensely beyond the sum of all the gold and silver on hand would be needed to supply the sinews of war; and the stringency seemed all the greater in that the effects of the monetary crisis of 1857–8 had not yet passed away. The State banks had already proved wholly inefficient for managing the monetary affairs of the nation in time of peace, even with the assistance of the sub-treasury, organized in 1846; and no other course remained open than the organization of a money system independent of coin, and in July, 1861, the issue of $60,000,000 of demand-notes, receivable for duties and imposts, was authorized by Congress.

But the government, instead of continuing the money policy thus inaugurated, and of making all its issues a legal tender for all debts thereafter contracted, changed the issue in 1862 to legal-tender notes, receivable for all debts except coin interest on bonds, and duties and imposts. Four hundred million dollars of this currency were issued in 1862–3; and, to make it the supreme paper-money of the country, a heavy tax was levied upon the circulation of the State banks, which were thereby virtually suppressed.

It may be worth while, even after so long a time has passed away, to recall more in detail that disgraceful action of Congress by which, in 1862, the greenbacks were thus virtually demonetized, since they no longer were receivable for duties and imposts; for it was this demonetization which gave rise to that scandalous gold and silver speculation which, from the date of the passage of that bill to some eighteen months ago, swept over the whole country, and — demoralizing private individuals as well as business men, ruining countless families, destroying commerce, and culminating in the Black Friday — died gradually away, only to give our business world the appearance of a once fertile and prosperous country over which a deadly simoom or a gigantic cloud of locusts had made a devastating passage.

On the sixth day of February, 1862, the House of Representatives, in view of the fact that the issue of the $60,000,000 demand-notes had been exhausted, passed a bill authorizing the issue of $150,000,000 more, having the same virtues of being full legal-tender and receivable for all debts and demands due to the United States, and for all salaries, dues, debts, and demands owing by the United States to individuals, corporations, and associations within the United States. The bill passed by a vote of ninety-three to fifty-nine. But no sooner had its contents been made known than all the banking, brokering, coin-speculating, and bondholding sharks sent off delegation after delegation to Congress, urging its amendment so as to make those notes not receivable for interest on bonds, and, finally, also not receivable for duties and imposts. These amendments the Senate was induced — by what means it is unnecessary to suggest — to annex to the House bill; and the bill, so amended, was then passed in the Senate by a vote of thirty to seven, and returned to the House on the 14th of February. Owing to the pressing necessities of the civil war, the House was constrained to pass it on the 24th, by a vote of ninety-seven to twenty-two. Thus were the

most sacred interests of the people, especially of the producing classes, — the farmer, the mechanic, the manufacturer, and the laboring man, — grossly and wickedly betrayed into the hands of the money-power by the Senate of the United States. The Senate at that time was a small body, but twenty-four States being represented, with but three or four members whose ability was above mediocrity. The occupants of seats once filled by statesmen whose ability and eloquence had made the Senate of the United States famous throughout the world, were now puffed up with ideas of self-importance which, with the venality of the majority of that body, made them an easy prey for the sharks of Wall Street. It will be observed, that the points contended for so strenuously and successfully by the conference committee of the Senate, who represented the sentiment of the majority of the body, were, in substance and effect, the same as those contained in the plan of the bankers offered at their meeting which convened in Washington immediately after the introduction of the legal-tender bill in the House. That the Senate was controlled in its action in regard to the legal-tender bill by improper influences is not a matter of conjecture, but history. In his speech at Philadelphia, January 15, 1876, Judge Kelley says: "I remember the grand 'Old Commoner,' Thaddeus Stevens, with his hand and his cane under his arm, when he returned to the House after the final conference, and shedding bitter tears over the result. 'Yes,' said he, 'we have had to yield; the Senate was stubborn. We did not yield until we found *that the country must be lost or the banks be gratified*, and we have sought to save the country in spite of the cupidity of its wealthier citizens." [1]

Thus three kinds of money were established: the demand-notes, the legal-tender notes, and gold and silver, — placing a premium on the coin, over which the government had no control. The legal-tender currency issue was too small, and for some unaccountable reason Congress would not authorize the issue of more currency, and hence was forced to create a fourth kind of money, in the form of bonds of the United States, bearing heavy interest payable in coin, — although the principal of these bonds, known as five-twenties, was generally understood to be payable in legal-tender currency, — and caused them to be sold, at a ruinous discount, for gold, which Congress had greatly enhanced in price by requiring all duties to be paid to the

[1] The Money Question. By Wm. A. Berkey, Grand Rapids, Mich. 1876.

agents of the treasury in specie, thus directly depreciating the legal-tender notes by refusing to receive them for duties payable to the government.

The issue of these interest-bearing bonds during the war forced the government into the market to sell its own securities for its own legal-tender notes, or for gold; and to do this it was deemed necessary to employ bankers and brokers, pay heavy commissions, and contract immense future obligations in the way of interest, in order that some banking-houses, with not a millionth part of its wealth and resources, might indorse its bonds and undertake their negotiation. Thus this wealthy and powerful government, by an unpardonable financial blunder, placed its finances at the mercy of foreign and domestic money-monopolies; nay, sacrificed the wealth and prosperity of future generations, by unnecessarily incurring an interest debt which already demands a most oppressive rate of taxation and duties to meet it.

But even these miserably inconsistent financial measures of issuing several different kinds of treasury-notes, bonds, and national-bank notes demonstrated in a general way the wisdom of having a national money, controllable by the government. An era of prosperity for the United States began, and continued from 1863 to 1869–70, that made us almost forget the expenses and ravages of a gigantic civil war. Commerce, agriculture, and manufactures multiplied in wonderful proportions; great public improvements of all kinds increased rapidly on every side; and this national prosperity would in all probability have been permanent if the acts of 1869–70 had not been passed, and thus a policy been adopted by the treasury, subjecting the established national currency to a ruinous conflict with the old coin-despotism, supporting and supported by the money-monopolies that now rule the nation with a rod of iron.

Indeed, from the very day that our government declared itself free from the tyranny of the Old World money, — gold and silver, — and issued its own money in place thereof, a new business life took possession of the whole country. Houses, manufactories, and machine-shops were erected for the new-developing business; steam vessels and railroads were built on a scale never known before; new Territories populated and developed to an unparallelled extent, — so that it seemed almost as if, were it not for the sea-coast, we might afford to lose the whole South, and still be adequately recompensed by the new up-growing West. For full ten years from the first issue of

greenbacks we enjoyed an era of financial prosperity, without any revulsion or business panic, — a growth of actual prosperity which is unparalleled in the history of our country. No decade of the past century of our historical existence as a nation was so free from financial distress, so fruitful of general development and individual wealth.

The true policy, however, and the one suggested to the secretary of the treasury at the breaking out of the war, would have been to recommend to Congress the passage of a law for the creation of a national money, by the issue of legal-tender treasury-notes, receivable for all debts, demands, and duties, to the exclusion of all other money, thereby rendering gold and silver mere articles of commerce, like copper, lead, iron, and other products for import or export.

If this policy had been approved by the secretary of the treasury, or adopted by Congress without his recommendation, the war expenses would have been greatly diminished, and at the restoration of peace there would have been no national bonded war-debt and no national taxes; and the people would have had a reliable national money for general circulation, to the exclusion of all other money, and better suited for business, commercial, and governmental purposes than any other money in the world.

Instead of adopting this economical and statesmanlike policy to meet the public exigency, many vacillating, speculative, and unwise schemes were proposed by the treasury, adopted by Congress, and abandoned alternately, until the bond-credit of the United States, in 1864, sank below that of the Confederate States about twenty per cent in the London money market. This was the plain result of our own inconsistent, suicidal financial schemes, as will clearly appear from a brief review of them.

The issue of the demand-notes of August, 1861, was followed by an issue of common legal-tender notes in lieu of them; then of coin interest-bearing five-twenty bonds, seven-thirty interest-bearing bonds, treasury three-year notes, three per cent certificates, more five-twenty bonds and gold certificates, until about $2,000,000,000 five-twenty bonds had been issued.

In fact, the main purpose of the financial administration of our affairs during the whole progress of the war seemed to be to create an enormous national debt, bearing a high rate of interest, and entailing upon the people ruinous taxes and tariffs.

But, worse than all these extravagant and inconsistent measures:

the government, finding that the people needed more currency for ready interchange, instead of issuing legal-tender notes in proportion as they were needed, created, in 1863, one of the most powerful monopolies in the world, by the National-Bank Act, and transferred to the money corporations to be organized thereunder the national sovereign power of issuing United States national-bank notes, paying them, moreover, virtually an annuity of six per cent in coin to accept the most valuable franchise in the gift of the government.

Within five years there had been established sixteen hundred and twenty of these national banks, with a circulation of $300,000,000, secured by United States five-twenty bonds for $342,475,600, deposited by them in the treasury to secure their several circulations, issued upon such bonds, the redemption of which in legal-tender notes was guaranteed by the United States; that is, the government paid those sixteen hundred and twenty banks an interest bonus of six per cent in coin a year on $342,475,600 of United States bonds, to accept the privilege of using $300,000,000 of such currency so issued to them, and loaning the money at the highest rates of interest.

Within ten years more those sixteen hundred and twenty national-bank monopolies had increased to two thousand and forty-five, with a circulation of $335,134,504. The following table shows at a glance what an enormous power these banks — all combined into one monopoly by common interests — wield over the people, and even over the government, and what vast profits they reap from the power so blindly and unjustly granted them by the government: —

National Banks — Their Number, Capital, Surplus, and Dividends.

Year ending September 1.	No. of Banks.	Capital.	Surplus.	Total Dividends.	Total Net Earnings.	Ratio of Dividends to Capital.	Ratio of Dividends to Capital and Surplus.	Ratio of Earnings to Capital and Surplus.
1870	1,601	$425,317,104	$91,630,620	$42,559,438	$55,810,819	10.12	8.35	10.96
1871	1,693	445,989,264	98,286,591	44,330,429	54,558,473	10.14	8.31	10.23
1872	1,852	465,676,023	105,181,942	46,687,115	58,075,430	10.19	8.33	10.36
1873	1,955	488,100,951	118,113,848	49,649,090	65,048,478	10.31	8.30	10.87
1874	1,971	489,938,284	128,264,039	48,459,305	59,580,931	9.90	7.87	9.68
1875	2,047	497,864,833	134,123,649	49,068,601	57,936,224	9.89	7.81	9.22
1876	2,081	500,482,271	132,251,078	47,375,410	43,638,152	9.42	7.45	6.87
1877	2,072	486,324,860	124,349,254	43,921,085	34,866,990	8.93	7.09	5.62
1878	2,047	470,231,896	118,687,134	36,941,613	30,605,589	7.80	6.21	5.14
1879	2,045	455,132,656	115,149,351	34,942,921	31,551,860	7.60	6.07	5.49

This ruinous scheme of finance, invented, it is said, in the treasury, to aid the Federal government, is about equivalent to a loan of money by Mr. Prodigal to Mr. Shylock for twenty years, on a special agreement that the lender should pay the borrower six per cent yearly interest in coin for accepting the money so loaned, and assuming the trouble of lending it, at the highest rate of usury possible, for his own profit.

But in order to rivet these chains of debt and interest more firmly upon the necks of the people, so that no future Congress could remove them, it was necessary for the bondholders, brokering speculators, and the national-bank stockholders — in short, for the gold-ring, which they together had meanwhile organized — to procure the passage of a law declaring the five-twenty currency bonds to be redeemable only in coin; and to prevent the repeal of such an unjust law, another enactment was required, authorizing the issue of new bonds, with special contracts inserted therein binding the government to pay the principal and interest in coin, whereby, on the sale of the new bonds for gold, the proceeds would be used for the redemption of the five-twenty currency bonds in coin.

To accomplish this purpose, Congress, on the 18th of March, 1869, passed a joint resolution pledging the faith of the nation to redeem the five-twenty bonds in gold, and on the 14th of July, 1870, another act, authorizing the issue of new gold-bonds, with gold coupons, to be sold for the redemption of the five-twenty currency bonds at par.

About $2,000,000,000 of five-twenty currency bonds were thus changed into coin bonds by the act of 1869, the burden falling with crushing force upon the tax-payers and producers of the present and future generations of our own people. These five-twenty bonds had most of them been purchased at an average coin price of about fifty cents on the dollar. By this act of Congress the national debt and all secured debts of individuals, contracted for currency during the war, were in reality doubled for the sole benefit of usurers, bondholders, and monopolists, and a new obligation was created for the American people, which it was impossible to fulfil, as shown by the subsequent bankruptcies. There was not half gold enough to be had anywhere to pay off the five-twenty bonds. It was a physical impossibility; and, by the resolution assuming to pay it in coin, Congress virtually forced upon the nation a gigantic short

sale of $2,000,000,000 in gold for $2,000,000,000 in five-twenty bonds that had already been sold for currency prices and were then outstanding, subject to be redeemed in legal-tenders.

It was a bold, treasonable cornering of the nation in the interest of the bondholders; and, injurious as its consequences have already been, in producing universal financial distress and innumerable bankruptcies, and far more threatening calamities of national insolvency and revolution that it holds out for the future, these calamities can be averted only by the repeal of the acts of 1869–70, and the passage of an act prohibiting the further sale of new gold-bonds, and requiring the redemption of all the remaining five-twenty currency bonds in legal-tender notes to be issued for that purpose, as was the original intention and understanding.

That we cannot go on and do business under the present system must be evident to any one who will look over the following statement, and consider especially the figures for the failures of the years 1872, 1873, 1874, 1875, 1876, 1877, 1878, and for nine months of 1879: —

Failures in the United States for Twenty-two Years.

Year.	*No.*	*Liabilities.*
1857	4,932	$291,750,000
1858	4,225	95,749,000
1859	3,913	64,394,000
1860	3,676	79,807,000
1861	6,993	207,210,000
1862	.....	.....
1863	.....	.....
1864	.....	.....
1865	.....	.....
1866	1,505	53,783,000
1867	2,780	96,666,000
1868	2,608	63,694,000
1869	2,799	75,054,000
1870	3,551	88,242,000
1871	2,915	85,252,000
1872	4,069	121,056,000
1873	5,183	228,499,000
1874	5,830	155,239,000
1875	7,740	201,060,000
1876	9,092	191,117,000
1877	8,872	190,669,000
1878	10,478	234,383,132
1879	5,320	81,054,940

In connection with this table it will be interesting to know the ex-

tent of the failures in the several States for the full years of 1873 and 1874. The following table gives the numbers and amounts: —

States and Territories.	1873.		1874.	
	No. of Failures.	Amount of Liabilities.	No. of Failures.	Amount of Liabilities.
Alabama	52	$1,337,000	48	$963,000
Arkansas	17	307,000	22	406,000
California	70	1,500,000	68	2,571,000
Colorado				
Connecticut	104	1,452,000	151	2,286,000
Delaware	31	663,000	27	578,000
District of Columbia	13	240,000	18	256,000
Florida	10	258,000	14	293,000
Georgia	67	2,113,000	118	1,845,000
Idaho Territory				
Illinois	329	7,109,000	332	7,510,000
Indiana	134	2,260,000	167	2,397,000
Iowa	141	1,917,000	144	2,034,000
Kansas	94	821,000	94	988,000
Kentucky	125	2,287,000	167	1,879,000
Louisiana	74	2,831,000	99	4,429,000
Maine	80	752,000	84	1,063,090
Maryland	63	1,229,000	110	1,691,000
Massachusetts	309	11,224,000	416	10,600,000
Michigan	248	3,917,000	286	4,477,000
Minnesota	61	944,000	60	1,029,000
Mississippi	79	909,000	66	1,555,000
Missouri	188	5,867,000	175	3,061,000
Montana				
Nebraska	22	311,000	42	521,000
Nevada				
New Hampshire	27	518,000	32	266,000
New Jersey	119	2,482,000	146	3,854,000
New York	544	13,721,000	573	10,295,000
New York City	644	92,635,000	645	32,580,000
North Carolina	63	672,000	56	542,000
Ohio	321	11,320,000	343	8,481,000
Oregon				
Pennsylvania	576	31,445,000	644	34,774,000
Rhode Island	58	15,250,000	71	1,250,000
South Carolina	36	1,927,000	61	1,531,000
Tennessee	77	1,036,000	94	1,585,000
Texas	116	1,751,000	142	2,201,000
Territories	44	868,000	67	969,000
Utah Territory				
Vermont	21	350,000	36	380,000
Virginia and West Virginia	125	2,188,000	114	1,514,000
Washington Territory				
Wisconsin	81	1,574,000	111	2,575,000
Total	5,183	$228,499,000	5,830	$155,239,000

It is interesting also to compare the disasters of these years with those of the period which has elapsed since the panic of 1857, which, like the panic of 1861 and the one of 1873, was brought about by a sudden sweeping away of paper money used for circulation, consequent upon attempts to establish an exclusively gold-money

circulation. In each case it turned out, that there was virtually no gold to be used for money purposes, the quantity being so exceedingly small. It is also worthy of remark that although the panic of the year 1857 was the worst of any single year in the list in regard to the number of failures and amount of liabilities, the panic of 1873 has been infinitely more disastrous, in that there has been no recovery as yet, though it has now lasted over six years, and that the dread of the non-repeal of the resumption act still perpetuates its consequences. The panic of 1857, on the other hand, lasted only one year, owing to the reissue of paper money in the very next year.

The simple truth, which explains this extraordinary growth of bankruptcies, is, that we have been compelled to do business after 1869 with two-thirds *per capita* less than densely populated France, and one-third less than England requires. The unavoidable result of this money scarcity was a general stoppage of industry, at an immense loss to the people of the United States, estimated at $500,000,000 a year. Railroads, factories, business houses of every kind, insurance and manufacturing companies, and navigation companies, went into bankruptcy, or were sold out for a mere song, the members of the gold-ring frequently becoming purchasers at merely nominal prices. A great number of counties in the Western States became virtually insolvent and unable to pay the interest on their debts, and still remain so.

This scarcity of a circulating money-medium I have already alluded to as the cause of all the financial disasters that have afflicted the world. An abundance of currency is absolutely necessary to secure financial prosperity. The United States have, in this respect, been always somewhat at a disadvantage, in comparison with other great commercial countries, such as Austria, Belgium, France, Great Britain, Germany, the Netherlands, Switzerland, etc., as will appear from the following table, giving the —

Estimated Amount of Gold and Silver and Paper Money in Circulation in Twenty-four Countries, at the Latest Dates.

Countries.	Year.	Population.	Paper.	Specie.				Total Paper and Specie.	Per Capita.		
				Gold.	Silver — Full Legal Tender.	Silver — Limited Tender.	Total.		Paper.	Specie.	Circulation.
1. Austria . . .	1869	35,904,435	$322,938,854	$43,200,000	$27,360,000	.....	$70,560,000	$393,498,854	$9 00	$1 96	$10 96
2. Australia . .	1879	2,600,000	21,604,936	45,000,000	.....	$5,000,000	50,000,000	71,604,936	8 31	19 23	27 54
3. Belgium . .	1876	5,336,185	58,419,000	110,000,000	55,438,000	8,562,000	174,000,000	232,419,000	10 95	32 60	43 55
4. Brazil . . .	1872	10,108,291	91,000,000	.....	.....	.....	.....	91,000,000	9 00	.....	.....
5. Canada. . .	1871	3,602,321	29,047,742	6,291,285	.....	4,000,000	10,291,285	39,339,027	8 06	2 86	10 92
6. Colombia . .	1870	2,951,311	1,895,343	700,000	4,000,000	.....	4,700,000	6,595,343	65	1 59	2 24
7. Denmark . .	1870	1,912,142	18,900,000	20,000,000	.....	4,863,000	24,863,000	43,763,000	9 88	13 00	22 88
8. France . . .	1876	36,905,788	466,755,000	733,400,000	366,700,000	59,144,850	1,159,244,850	1,625,999,850	12 65	31 41	44 06
9. Germany . .	1875	42,727,360	229,596,220	328,168,462	113,238,000	101,651,957	543,108,419	772,704,639	5 38	12 71	18 08
10. Great Britain	1871	31,628,338	209,148,875	618,619,043	.....	93,376,168	711,995,211	921,144,086	6 61	22 50	29 11
11. Greece . . .	1870	1,457,894	12,890,000	4,500,000	.....	3,000,000	7,500,000	20,390,000	8 85	4 80	13 65
12. Italy	1871	26,801,154	135,000,000	17,000,000	.....	20,000,000	37,000,000	172,000,000	5 04	1 38	6 42
13. Japan . . .	1874	33,623,319	143,000,000	30,000,000	10,000,000	.....	40,000,000	183,000,000	4 25	1 18	5 43
14. Mexico . . .	1871	9,276,079	1,500,000	10,000,000	40,000,000	.....	50,000,000	51,500,000	16	5 39	5 55
15. Netherlands .	1869	3,579,529	73,230,000	20,000,000	57,600,000	380,000	77,980,000	151,210,000	20 46	21 78	42 24
16. Norway . .	1875	1,806,900	10,300,000	10,000,000	.....	1,200,000	11,200,000	21,500,000	5 70	6 20	11 90
17. Peru	1876	2,699,945	13,098,820	62,085	1,819,933	.....	1,882,018	14,980,838	4 85	6 97	11 82
18. Portugal . .	1875	4,745,024	29,529,000	70,000,000	15,000,000	.....	85,000,000	114,529,000	6 22	18 00	24 22
19. Russia . . .	1876	86,952,347	587,907,562	108,000,000	2,500,000	.....	110,500,000	698,407,562	6 76	1 27	8 03
20. Spain . . .	1870	16,222,814	33,795,000	130,000,000	40,000,000	30,000,000	200,000,000	233,795,000	2 08	12 33	14 41
21. Sweden . .	1876	4,429,713	11,680,000	15,000,000	.....	3,120,000	18,120,000	29,800,000	2 64	4 09	6 73
22. Switzerland .	1870	2,759,854	21,300,000	60,000,000	30,000,000	4,700,000	94,700,000	116,000,000	7 72	34 31	42 03
23. Turkey . . .	.....	31,669,147	100,000,000	.....	.....	.....	.....	100,000,000	3 16	.....	.....
24. United States	1879	47,000,000	683,943,799	305,750,497	45,206,370	76,250,156	427,206,852	1,111,150,651	14 55	9 09	23 64
Total . . .	.....	446,699,890	$3,306,480,151	$2,685,691,372	$808,912,303	$415,248,130	$3,909,851,635	$7,200,331,786	$7 40	$8 75	$16 15

While all this financial ruin was going on, the gold-ring put on airs of virtue, with a brazenness absolutely astonishing. It ascribed all the depression that followed and preceded the crash of 1873, — though palpably the consequence of contraction, — as due to the fact, that there had not been contraction enough; that we were reaping the fruits of previous overtrading extravagance, and that we should never realize the prosperity of the years 1865–6–7, when greenbacks were abundant, unless contraction, that had worked our ruin, was carried to its baneful end by the retirement of the whole greenback circulation, amounting to $773,428,542, and the resumption of a purely specie basis, with its periodical financial earthquakes and ruin.

So successful were the banks and the Gold Ring in imposing on the people of the country, that Congress was finally, by some inexplicable means, persuaded in January, 1875, to decree the resumption of specie payment on the first of January, 1879.

But to still further increase its profits, the gold-ring, being sure of having a legal hold on the United States government for an amount of gold money which cannot be obtained in the whole world, consummated its scheme of making itself the absolute master of the money-power of the United States, by presenting to Congress an act that was passed in January, 1875, directing the repeal of the Legal-Tender Act, and the resumption of specie payments by the government on the first day of January, 1879. It is a significant fact that the repeal of the National-Banking Act was not provided for in this law. The United States was to redeem, *in coin*, the legal-tender greenbacks and the fractional currency ($413,428,542) outstanding in March, 1876, but what was to become of the national-bank notes ($360,000,000) then outstanding was not even suggested.

In my opinion, the scope and purpose of the act of January, 1875, was simply this: The people of the United States were to give up their legal-tender greenbacks, which they had found so convenient and economical for a circulating money-medium, and the treasury was to issue in their place *bonds* bearing interest. These bonds were to be sold for coin to cancel the legal tenders, and while this coin would not serve the people near as well as our greenbacks have served them, they moreover would have to pay the semi-annual coin interest on the four or five hundred million dollars of bonds, without any benefit whatever. That this meant great national financial distress must be evident to every impartial mind.

But it meant also something more, and something still more disastrous. We can perpetuate our free institutions, as events have shown, even when internal dissensions seem to render us distracted for a while; but with universal bankruptcy staring us in the face — bankruptcy of individuals, communities, States, and even of the Federal government — we must go under; most likely drift into Mexican anarchy and highway robbery. If any one thinks that this is an exaggeration, let him study carefully the monthly reports of bankruptcies in his locality, and reflect what number of subordinate failures and financial suffering must follow every reported case. One company or firm declares itself insolvent, or is declared insolvent, and a hundred, or mayhap a thousand persons are unable to pay their rent bills, grocery bills, or butchers' and bakers' bills. The officers of the company, or the members of the firm, may for a while contrive to keep up living in style, especially if they have well feathered their nests before abandoning them to the tender mercies of the bankrupt law, to hatch out whatever it can from the generally pretty well incubated eggs therein; but the employees have not that chance. Their landlords turn them out of their rooms; grocers, butchers, and bakers refuse them credit; without shelter, clothing, and food, what are they to do? Assuredly, when by continuing the foolish, suicidal financial policy which has ruled us ever since specie resumption was first talked about and *quasi* inaugurated, we shall all have become beggars, the next and inevitable part of the programme will be to change us from a community of free republicans to a community of freebooters.

To avert such a calamity, the only course to pursue, therefore, is to issue the absolute national legal-tender money of my system in sufficient quantity to redeem all the outstanding five-twenty bonds at par, and let Congress declare those bonds to be redeemable in that currency; those legal-tender notes to be declared, moreover, the only national money receivable for property, debts, and *duties* in the United States. This would give us a far better money system than we have now, or ever have had; it would restore trade, commerce, and all industries to a sound and prosperous condition; and at the same time it would prevent the monopolizing money-corporations of the country from unjustly taxing the people in the way of interest for the use of money that really belongs to the government.

To the objection, that it would be dangerous to intrust Congress with the power to issue such a money, — the only real objection

raised, next to the one which I shall consider in the chapter on Foreign Exchange, — I reply: —

1. All possibility of an illegitimate over-issue of money is precluded by my proposed system of annual statistics, which will show every year the amount of money needed to carry on the whole business of the United States.

2. And I ask in return, how is the present money of account (which I propose to supplant by my system of absolute money) regulated in regard to the amount serving as a medium of circulation? Certainly not by any legislation. Banks spring up as the necessities of trade and commerce require their assistance, and deal in checks and bills of exchange as money of account, to the extent required by the needs of business, and unhappily the needs of fraudulent speculation. There is no legal guard against an over-issue under the present system of money of account, and hence it is rather hypercritical to ask such guards for my system.

This is a fact which generally escapes attention, and which yet must be evident to every observant mind the moment it is pointed out. A government, we hear it always said, must not have the power to issue money, because it is impossible to limit the volume of the issue definitely, and hence to prevent over-issue. Admitting, for the sake of the argument, that this were so, why is the same objection not applied to banks of discount and deposit, that exercise every day the power to increase the money of account (checks and drafts), which is used for the same purposes as bank-notes? Why should the banks have and exercise the power of over-issuing (by excessive discounts), and why should the same people, who show no fear at all of the effects of this over-issue of money of account upon trade and prices, exhibit such excessive terror at an over-issue of national paper currency? The absurdity of this clamor has been well pointed out by Mr. Thomas Tooke, in his "Inquiry into the Currency Principle," Chapters III. and V. The loans of the United States during the war times were nothing less than an "over-issue" of the world's money of account; so was the five-milliard loan of the French government; and yet both of these "over-issues" combined have neither disturbed prices nor thrown the financial world into convulsions. On the contrary, both "over-issues," or increases of money, have proportionately increased the prosperity of the world. Nevertheless, I have shown that my system can and does furnish checks, since it works

not as the present banking system, on "instinct," as it were, — that is, on pure chance, — but on a scientific method.

3. I ask, further: When you have a coin basis, have you any protection against an undue increase of the circulating medium? None in the world. If a new gold-mine is discovered, your amount of money is suddenly increased to that extent. Hence the alarm of some foolish financiers when the vast gold-mines of California and Australia, and the silver mines of Nevada, Montana, Utah, and New Mexico were opened. "There will be an over-issue of money," cried they; "gold will depreciate probably even below the value of silver!" Nevertheless, nothing of the kind occurred, although $2,400,000,000 of the precious metals have been added to the world's coin-money from these mines. Prices are substantially the same now as they were when the California, Australia, Nevada, and other mines were first opened.

4. Congress has always had the power to increase the amount of the circulating medium of commercial interchange in the United States by the issue of a new loan. If we can intrust Congress with that power, why should we be apprehensive of empowering it to enact laws authorizing the issue of treasury-notes to replace the bonds? The bonds — I cannot repeat it too often — are in the main just as much money as the bank-notes, and I object to them chiefly on the ground that they are so ruinously expensive on account of the coupons attached to them. *It is far more dangerous to grant Congress the power to issue an unlimited amount of bonds, than to authorize it to issue more money upon the report of a board of commissioners*, based upon carefully gathered statistics and well-prepared tables, showing the progressive ratio for the increase of the absolute money required by the extent of trade, bills of exchange, money of account, commerce, and the annual products.

5. I may add, in conclusion, that a further check against both over-issuing and counterfeiting can be found in adopting the rule of the Bank of England, to cancel its notes as they are presented and issue new notes in their place. Of course, this rule would have to be modified somewhat, to suit the characteristics of an absolute money.

CHAPTER VII.

FOREIGN EXCHANGES AND AN INTERNATIONAL CLEARING-HOUSE.

The other objection alluded to as raised against such irredeemable paper money is, that it would check all foreign commerce, since foreign countries would not recognize it.

To this objection I reply: First. That the citizens of foreign countries do recognize our paper money. They bought and buy our bonds, knowing that with these bonds they could buy any purchasable commodity in the United States, and would not have bought them had they not known and believed this. The outrageous discount we paid them for taking them was simply a swindle imposed on our own people by ourselves. Second. The interchange between our markets and those of foreign countries is regulated in the main by the imports and exports, by exchange from other countries, etc. Silver is even at this day already almost altogether an article of merchandise, and gold will very soon be one also if governments exercise their power to make paper money and exchange. With only one kind of money in the State, the price of those articles of merchandise, gold and silver, will regulate itself just as that of all other articles of merchandise does. The European capitalist will, for instance, just as soon hoard one thousand dollars of United States paper money as one thousand dollars' worth of gold, when he knows for a certainty that it will buy him the same amount of wheat, or lands, or cotton; and the chances of a fall or rise in the price of gold he will take just as readily as he takes the chances of the rise or fall in other products.

In the course of time it will, no doubt, be feasible to arrange treaties with all civilized foreign countries regulating the value and standard of money, and thereby to allay altogether this spectre of foreign exchange, under pretext of which the people are imposed upon in every direction by money-monopolies. The superstitious notions concerning the god of Mammon, as represented by gold and silver, must be swept away, even like all other superstitions handed down to us by preceding generations.

To state this feasibility in the concisest way: it is quite as practicable to establish an international clearing-house as it has been found practicable to establish clearing-houses in every large city. In

this international clearing-house the paper moneys or drafts of each separate State in the world would be sent for exchange, as such exchange may be wanted; and rules could easily be arranged between the several nations composing this international clearing-house, concerning the way in which the balances should be settled or adjusted. An international code and judicial department for the administration of international justice would, moreover, greatly aid the clearing-house in effecting these measures.

Situated as our country is, in the most favorable geographical position, between the two great oceans of the world, the developed civilization of Europe on the east and the wealth of Asia on the west; connected already with the one continent by several lines of telegraphic cable, and undoubtedly soon to be connected in like manner with the East Indies, China, and Japan; exhibiting a wealth many million times in excess of our outstanding circulation, and a productiveness in all articles of commerce which, under the exercise of judicious economy, is amply sufficient to balance our imports by our exports, and having the capacity of establishing a commercial marine that can control the commerce of the two oceans: no other nation is so able and competent to introduce the purely rational system of money herein developed, and be the first to reap its incalculable blessings.

Every citizen is most intimately concerned in aiding the government to establish and perfect this monetary system, and thereby to strike the shackles of the money-power from our arms, and to keep the generations that shall succeed us free from them. The conflicts between capital and labor that harass us, the exorbitant rates of interest, the sudden changes of value that plunge so many from wealth into poverty, and the spread of pauperism, which looms up threateningly for the future: all find their permanent remedy only in the establishment of a system of money that shall be under the control of the government, instead of self-interested monopolies, that are gradually absorbing the wealth and liberties of the people.

CHAPTER VIII.

POSTAL SAVINGS-BANKS.

In connection with this question of foreign exchange, I may say also, that the government should establish *savings-banks* in the post-offices, the deposits therein being guaranteed by the United States, and its exchanges or money-orders to be current, not only all over the Union, but over all the countries joining the postal union established by the Geneva postal congress before alluded to. It will be seen at once what an effect such a measure would have towards the establishment of an international exchange business, the main point objected to my system of an absolute national money. With our greenbacks, men could buy their postal drafts at any post-office here, and this postal draft, or whatever it might be called hereafter, would pass current and be promptly paid throughout all the countries belonging to the postal union. These drafts would amount to a very large sum per year, and the usual premium on them would pay double all the expenses of the mail service of the United States, and furnish domestic as well as foreign exchange at each of the thirty-seven thousand five hundred post-offices to all who might need it. No more beneficial financial arrangement could be devised for a perfectly safe exchange. In Great Britain this system, though as yet only local and in its infancy, has proved to be very safe and successful. When the government takes your savings on deposit, you will be very sure of getting them back. The dishonesty of many of the public officers and bankers will not affect this question of absolute security of the post-office deposits and exchanges; for when the government becomes bankrupt, every individual member of the nation is bankrupted. The whole plan rests, it is true, on the basis of coöperation; but whereas all other previously devised coöperative associations are within, and subject to the regulations of a national government, the coöperation proposed by me is effected by that national government itself, and its success can rise or fall with that national government alone. Should our national existence ever be wiped out, of course all its coöperative features would also perish; but can any better reason be advanced by which to induce every member of the coöperative nationality to risk his all for the maintenance of the national existence?

To some extent this international money-exchange system has

already been established throughout the States belonging to the postal union, which now includes nearly all the States of Europe and America, all of Australia, and the greater part of Asia. That is, at any of the larger cities in the States of that union you can buy a postal order for a limited amount, which may be cashed at any other money post-office in the union. A postal order bought in St. Louis, for instance, will be paid in Paris, in Melbourne, in Vienna, or in Yeddo, and *vice versa*. At the end of every year there is a settlement made of these money-orders between the several post-office departments of the union. In other words, the postal orders are then "cleared." Now, this is precisely the idea put forward in the first edition of "Liberty and Law," seven years ago.

As yet the system is but in its infancy, but what vast development it has already reached will appear from the following: —

For the fiscal year ending June 30, 1878, the post-office department of the United States issued postal-orders in the sum of $85,000,000. The domestic money postal-orders issued amounted to $81,442,364, the number of these orders being 5,613,117.

The international postal orders — that branch of the business having but just gone into effect — amounted, *in issue*, to $2,047,696.86, and were drawn upon the following countries: —

Countries.	*No. of Orders.*	*Amount.*
On Canada	13,586	$259,382 43
" Great Britain	55,346	807,183 32
" Germany	43,314	783,416 34
" Switzerland	4,593	92,280 74
" Italy	3,949	105,433 53
Total	120,788	$2,047,696 86

On the other hand, there were *paid* on international postal orders —

Countries.	*No. of Orders.*	*Amount.*
To Canada	20,134	$339,184 89
" Great Britain	21,167	363,203 18
" Germany	29,411	666,812 70
" Switzerland	2,053	53,795 72
" Italy	281	7,871 42
Total	73,046	$1,430,867 91

Leaving the United States in debt to those countries at the end of that year $616,828.95, to be settled in the usual manner between the respective post-office departments of those countries. This certainly is a very encouraging exhibit for the first year's trial of this new system. But to perfect the scheme, postal *savings-banks* should be established over all the postal union, authorized to issue, in place of the present postal orders, drafts or bills of exchange, which would be honored throughout the whole postal union. This would deal the death-blow to that most extortionate of all self-created monopolies, the private banker's foreign exchange business.

CONCLUDING REMARKS.

Let me, in conclusion, summarize the main advantages of such a system of absolute money for the United States, as I have sketched in the foregoing, perhaps a little more at length than would be warranted by the general character of this work, were it not for the supreme importance of the money question in that period of human development upon which we are now entering: —

1. It would unite the people of the United States by ties even stronger than those of historical tradition and nationality.

2. It would at the same time abolish a dangerous centralization of financial power as it now exists in the Federal Congress, and restore absolute freedom of banking to the people of the several States.

3. It would free us from financial leading-strings of foreign countries, and thus make us what now we merely pretend to be, — an altogether free and independent nation.

4. It would extinguish our national debt and prevent the incurrence of any new public debt in the future.

5. It would relieve us from the main burden of our taxation, — the interest on our bonds, — and thus make possible the abolition of the internal revenue and tariff systems, and the introduction of absolute free-trade.

6. It would furnish us with a uniform and elastic legal-tender money, subject to no fluctuation or change of value, and yet accommodating itself always to the requirements of the country.

7. It would relieve the present insufficiency of our money circulation, and then lower the rate of interest and compel the employment of the money in aiding the development of our industries.

8. It would abolish the cumbersome, expensive, and unstable specie

money, and substitute in its place the safest, most convenient, and economical money-medium possible.

With all these advantages so clearly pleading in favor of the adoption of my system, may I not ask for it the thorough, impartial consideration of the people of this country, of its bankers, and of our representatives in Congress, to whom the vast responsibility of deciding the future financial fate of this country, for weal or woe, has been intrusted? We are rapidly approaching the most momentous crisis in the history of our internal development. A continuance of our present uncertain money-system, with its utter instability and inadequateness for the needs of the country, is, however, impossible. A change must take place. We need a financial constitution, if I may coin the phrase, as fixed and permanent as the political constitution which our ancestors made for us. We need it now, — at once; and could a more fitting time for the inauguration of our financial freedom be conceived than the present? We have reëstablished our political nationality on a wider and safer basis than that upon which it rested in the early days of our republic; let us now also establish our financial nationality, and thus complete the work which was begun a hundred years ago by the mighty men of the American Revolution, in the spirit which animated them, and in the form which they pointed out for us.

MONEY—APPENDIX.

CHAPTER III.

RELATION OF ABSOLUTE MONEY TO COIN.

[From "Absolute Money," a New System of National Finance. By Britton A. Hill. St. Louis. 1875.]

It is my firm conviction, that if the United States government were to create such a paper-money system, and make it exclusively legal-tender in the United States, gold would soon lose its present fictitious value and fall below par in price, just as silver fell below par in Germany, when the government of the German Empire had stripped off from it its legal-tender prerogative.

If this seems absurd to some of my readers, let them look at the financial condition of China or East India. Gold is not taken in either country as money; indeed, six hundred millions of the civilized population of the globe refuse to accept gold as money. Merchants, who took £20,000 in gold to the Bank of Calcutta in 1864, when money was scarce, could not get a single bank-note or rupee advanced upon it. "The price of gold sunk so low," says the Bombay *Times* of that year, "that *it could have been reshipped to London at three per cent profit.*" And simply for the reason, that gold was not a legal-tender in India.

There can be no doubt that gold would soon share the same fate in the United States, if my scheme of absolute money were adopted. For, with such an actual national legal-tender money, of what use would gold be except in the arts, and, in part, for foreign exchange? It is estimated that there are about $300,000,000 of gold coin now in the United States, hoarded in stockings, bank-safes, and the Federal treasury. It is true that for awhile after the passage of an act creating absolute money, coin might still be hoarded; but as the

government would not need to be in any hurry to purchase it for the payment of its gold obligations, the hoarders of coin would soon tire of hoarding, and make use of the much handier and unfluctuable legal-tender money of the government.

There would be absolutely no use for "redemption" of legal-tender in coin, and hence no demand for it. It is true, that so long as the paper money of this country was issued by private banks and bankers, and was not a legal tender, there had to be a sort of redemption, since the paper money itself neither had nor pretended to have any value of its own. It was a mere promise to pay a certain quantity of gold or silver upon its presentation, — a negotiable note, in fact, which, like all other negotiable notes, rose and fell in price in the market according to the supposed ability of the issuer of the note to redeem his promise.

But this absolute money of mine could not so rise and fall; it being not redeemable in specie, or indeed in any specific other thing, though at the same time "redeemable" in, or rather receivable for and convertible into all the commodities of the nation, and the exclusive legal tender for all payments, salaries, judgments, fines, and debts. Redeemability in coin would only cripple it within the limits of the coin to be had; but its absolute legal-tender convertibility and receivability for all payments would place it wholly beyond the reach of panics and the disasters attendant upon the fluctuation of the prices under a money-medium redeemable in coin.

Private persons and private corporations are not able to guaranty their issues of money, so as to make them absolute and sovereign. Only governments can do this. Only a government can issue a money that, representing the sovereignty and wealth of a whole nation, and known to the law as the only legal-tender and money-measure, can purchase every article and property, or satisfy every claim and judgment in the country.[1] Metallic money would always

[1] John C. Calhoun, one of the greatest American statesmen since the Revolutionary period, has stated these same propositions in so clear and emphatic a manner, in a speech in the United States Senate on the currency issue, that I cannot forbear quoting from him. He says: —

"It appears to me, after bestowing the best reflection I can give the subject, that *no convertible paper* — that is, no paper whose credit rests on the promise to pay — *is suitable for a currency*. It is the form of credit proper in private transactions, between man and man, but not for a standard of value, to per-

be vendible, but the national paper-money would never be vendible. Every other thing would be purchasable, but itself would never be purchasable.

An able writer on this subject, Mr. M. E. Davis, who still clings, however, to the heresy of having two kinds of money, — interest-bearing 3.65 bonds and legal-tender notes, — expresses about the same idea in his pamphlet published in 1874, as follows: —

"True money is not wealth, any more than the deed for a farm is the farm itself; and there is no more use in having our money made of gold than in having our deeds drawn upon sheets of gold. Another common and erroneous idea is, that if we have paper money it must have a gold basis. That is not only unnecessary, but impossible; and the effort to retain gold as money is highly destructive to the interests of industry. The material of money should have, as nearly as possible, no intrinsic value. We now have a government currency of about eight hundred millions, all paper. Suppose we could put into circulation two hundred millions gold coin, — and this is about the maximum we are able to circulate, — and suppose this would enable us to withdraw an equal amount of paper, and to keep temporarily (and

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form exchanges generally, which constitutes the approximate function of money, or currency. *No one can doubt but that the government credit is better than that of any bank, — more stable and more safe.* Bank paper is cheap to those who make it, but dear, very dear to those who use it. On the other hand, *the credit of the government*, while it would greatly facilitate its financial operations, *would cost nothing, or next to nothing*, both to it and the people, and would, of course, add nothing to the cost of production, which would give every branch of our industries, agriculture, commerce, and manufactures, as far as its circulation might extend, great advantages, both at home and abroad; and *I now undertake to affirm, and without the least fear that I can be answered, that a paper issued by government, with the simple promise to receive it for all its dues, would, to the extent it could circulate, form a perfect paper circulation, which could not be abused by the government; that it would be as uniform in value as the metals themselves; and I shall be able to prove that it is within the Constitution and powers of Congress to use such a paper in the management of its finances, according to the most rigid rule of construing the Constitution.*"

And Thomas Jefferson, one of the most prominent founders of the American system of federative government, in his letters to Mr. Eppis (volume 6 of his works), says: "*Treasury bills bottomed on taxes*, bearing or not bearing interest, as may be found necessary, thrown into circulation, *will take the place* of so much gold and silver. *Bank paper must be suppressed, and the circulation restored to the nation, to whom it belongs.*"

it would only be temporarily) the remaining portion of paper on a par with gold, we should still have four hundred millions without a specie basis. We should then have 'resumed;' but as half our currency would have no specie basis, how long should we continue resumption? With the power of the gold-gamblers on one side, and our immense foreign debt on the other, not a month; and if these interests can ever decoy us into resumption until we have a gold dollar in hand for every note out, we shall have a repetition of days that will make 'Black Friday' seem like sunshine."

And again: —

"Still many people cling to the idea that paper money must be *redeemed* by gold money. We cannot see why it should. Why change paper money into gold money, and then gold money into the things we buy? Why not change the paper money itself into these things? Gold money is mainly good to exchange wealth. Greenbacks will do the work as well. The stamp of our government gives to our paper money the power of gold money, so far as home trade is concerned."

The practical benefits which result from having a national currency, not redeemable in specie, was strikingly illustrated at the time of the last great panic of 1873. If we had then had a specie basis, we should undoubtedly have witnessed a general rush of the holders of greenbacks upon the banks, — a rush that must of necessity have produced the suspension of all banks and bankers, and widespread ruin, distress, and bankruptcy. There would have been a state of affairs quite as disastrous as that of the year 1857, when we had the "gold basis," of which so much nonsense is written as constituting the only safe and wise financial basis for a money system. Did it save us then? On the contrary, in their mad frenzy to possess coin, the golden idol of the god Mammon, which the people had been taught to worship as the only safe value, the holders of currency "made runs" upon every bank in the country, and consequently broke them all down. Did the "specie basis" save the German Empire when the great "crash" of Berlin and Vienna occurred, almost simultaneously with our own of 1873? Far from it. Suffering, as we undoubtedly are still, from the effects of our panic, that suffering has been confined to a limited sphere, — chiefly to our industrial interests, — and is already in part forgotten, although the increase of our annual products has been so great, that the volume of

currency has become altogether too small for the transaction of the trade and business of the country. But in Germany, where the "specie basis" holds sway, the suffering in trade is rather increasing in intensity. Does a "specie basis" keep England free from monetary panics? By no means. It is an established fact, that such panics occur in England every ten years, and every once in a while a mysterious and unaccountable drain for gold is going on at the Bank of England.

And speaking of the Bank of England, the following historical account of its transactions since it first organization may here find a proper place: —

"The Bank of England was originally chartered for ten years, in 1696, and the charter has since been prolonged, by various renewals, till August 1, 1879, and from that date subject to a year's notice. The loans made by the bank to the government were gradually increased, until, in 1800, they amounted to £14,686,800. The Bank of England is, and always has been, the government bank, transacting for it all the banking business of the nation, receiving the produce of the taxes, loans, etc., and paying the interest of the public debt, the drafts of the treasury and other public departments, transferring consols, etc. For this service the bank receives, exclusive of the use of the balances of the public money in its hands, about £95,000 a year.

"Down to 1797 the bank always had paid its notes on demand. But in 1796 and the early part of 1797, owing to rumors of a French invasion, there was a run made on the bank, and it was feared that a suspension was inevitable. In February, 1797, Mr. Pitt, apprehensive that he might not be able to obtain sufficient specie for foreign payments, in consequence of the low state of the bank reserve, procured the issue of an order in council requiring the bank to suspend specie payments. The suspension lasted till 1819, and is known to writers on finance as 'the period of the bank restriction.' The bank's notes, however, continued to circulate, and a committee of the House of Commons reported, soon after the suspension, that the bank was not merely possessed of the most ample funds to meet all its engagements, but that it had a surplus stock, after the deduction of all demands, of no less than £15,513,000. This report, and the fact that Bank of England notes became practically legal tender, kept them in circulation, although by 1800 they became depreciated,

partly in consequence of their own over-issue, but far more through the over-issue of the paper of the country banks. By 1814 the notes of the bank had depreciated 25½ per cent. Where only £5 notes had previously been issued, soon after suspending specie payments the bank began putting out £1 notes, and the country banks joined in the race.

"The panic of 1825 subjected the bank to a severe strain. All England had been possessed with a rage for speculation, such as a decade later demoralized the people of the United States. The provincial bankers gave in to the infatuation, and made the most sudden and excessive additions to their advances. The currency was inflated, and there resulted a drain for gold on the Bank of England. In that year the directors allowed their stock of bullion to fall from £10,721,000 to £1,260,000. The result was a tremendous panic. The country banks of issue went down like rotten trees in a tornado; in less than six weeks over seventy banks were prostrated, and a vacuum created in the currency that absorbed nearly £10,000,000 of additional issues by the Bank of England. Parliament enacted that thereafter no note for less than £5 should be issued. This was a blow directed at the country bankers, who had been easily able to circulate their £1 notes. In the commercial crisis of 1837–9, the bank was forced to draw for £2,000,000 on the Bank of France; and even after that aid, says Mr. Bagehot, the directors permitted their bullion, which was still the currency reserve as well as the banking reserve, to be reduced to £2,400,000. A great alarm pervaded society, and generated an eager controversy, out of which ultimately emerged the act of 1844.

"This famous measure, familiarly known in the British financial world as 'the act,' was devised by Sir Robert Peel. This law divided the Bank of England into two distinct departments, — an issue department and a banking department. The issue department issues nothing but notes, and can only put out £15,000,000 on government securities, and for all the rest of its notes it must have bullion deposited. The issue department has no power to increase the currency in any other manner. It holds the stipulated amount of securities, and for all the rest (as has been said) must have bullion in its vaults. 'This,' says Bagehot, 'is the cast-iron system, the hard-and-fast line which opponents of the act say ruins us, and which the partisans of the act say saves us.' The act provided for a weekly statement of

the business and issues of the bank, — a requirement which intelligent men feared would tend to create panics by revealing 'bank secrets.' The bank department receives from the issue department £15,000,000 in currency, which amount is loaned or issued to the government, on which the bank receives three per cent interest. The bank, however, pays to the government £180,000 annually for the exclusive privilege of issue; and the profit of the bank, after deducting the expense of management, is estimated at from £80,000 to £100,000 annually. The bullion and coin in the vaults of the issue department are not included in the reserves, and are not under the control of the banking department.

"Peel's act, dividing the bank into two distinct departments, has been suspended three times in order to allow the banking department to employ the coin and bullion of the issue department. In other words, the act has thrice been placed in abeyance to save the credit of the banking department. The redeemability of the notes, however, has never been questioned for a moment since the passage of the act. The suspensions occurred in 1847, 1857, and 1866. In 1847 the reserve in the bank department had fallen to £1,994,000, in 1857 to £1,462,000, and in 1866 to £3,000,000.

"The Bank of England is the custodian of the reserves of the several London banks and private bankers. These deposited reserves are, for the most part, loaned out by the bank. Then, again, the reserves of the country banks, and of the Scotch and Irish bankers as well, are deposited with the great English banks, which, in their turn, keep their reserves at the Bank of England. Therefore the reserve in the banking department of the Bank of England is the banking reserve not only of the Bank of England but of all London, and not only only of all London but of all England, Ireland, and Scotland. The credit system of Great Britain depends upon the security of the Bank of England. It is the apex of the inverted commercial pyramid. Mr. Bagehot says of the popular British faith in the soundness of the bank, that 'it is contrary to experience, and despising reason.' Undoubtedly in all three of the years of the suspension of Peel's act, the bank could, had it been called upon to do so, have ultimately paid its creditors in full; but the creditors of a bank, especially of a great national bank, holding the reserves of hundreds of minor banks, want immediate and not postponed payment.

"The directors of the Bank of England are rich London merchants, whose stake in the bank is trifling in comparison with the rest of their wealth. They have not been bred to banking, and do not, in general, give the main power of their minds to it. There is no law compelling them to maintain an adequate reserve, and only the pressure of public opinion, as voiced by the great newspapers, keeps them conscious of their enormous responsibilities as managers of a powerful institution, the very pivot of Britain's vast monetary machinery. The interest of the individual shareholders of the bank demands, of course, the largest possible dividends, and the more the reserve is diminished for employment in the loan market the greater will those dividends be. All around, the larger joint-stock banks are paying far heavier dividends than are received by the shareholders of the Bank of England. It seems creditable to the sturdy good sense of Englishmen that the Bank of England has maintained its prestige for so many years."

And now let Mr. R. H. Patterson, one of the foremost financiers of Great Britain, state the absurdity and destructiveness of keeping the financial prosperity of that immensely wealthy country dependent upon the presence in, or absence of a few millions of gold from the Bank of England, and show how all the money panics that have visited Great Britain are traceable solely to this cause. After showing how the withdrawal of gold from the Bank of England is immediately followed by raising the rate of interest and curtailing discounts, and how the "golden base then begins to oscillate," until "the greater oscillations are felt like the shocks of an earthquake," and terror and disaster are spread over the whole country, Mr. Patterson proceeds: —

"Is there not something wrong here? Ought the presence or absence of a few millions of gold to make the vast difference between national prosperity on the one hand, and national disaster and widespread suffering on the other? How will posterity speak of us, when it sees that we made the huge fabric of our national industry stand like an inverted pyramid, resting on a narrow apex formed of a chamberful of yellow dross? Will they not laugh at our folly, — our barbarism? When the usual supply of gold is temporarily diminished, why should our usual credit-system be restricted in proportion, or totally suspended? Of what use is credit but to take the place of payments in coin? Was it not for this purpose, and for this alone,

that credit and paper-money were adopted? Why, then, not make use of our credit system as a means of compensating the temporary absence of gold? Why not tide over the difficulty, instead of aggravating it, and so avoid the tremendous sufferings which are ever recurrent under our present system of monetary legislation." [1]

With still greater emphasis and outspoken candor, he says, at page 455: —

"Paper money during the last century served the purpose of supplementing the inadequate supply of gold money in ordinary times; what it must be made to do now is, to supplement that deficit also in extraordinary times, — or rather in times which, though once extraordinary, have now become common, or at least of steady recurrence. It was only in times of war that our fathers, the men of the past generation, found their currency system inadequate; and at such times they boldly altered it, as they did not choose to be strangled for the sake of a theory. But commerce has so greatly extended in our day, and so many nations now eagerly engage in it, that a drain of gold money, which formerly used only to occur in times of war, has become a steadily recurrent feature of our commercial history even in times of peace. Every ten years such drains (money crises) are becoming more certain in their occurrence, and more terribly severe in their consequences. They have become ordinary occurrences, and must be provided for in our ordinary legislation. * * * There are various ways in which this may be done, and it is of comparatively little moment which of these be adopted. But let it be done."

I am well aware, however, that these periodical panics that shake the financial world are generally attributed to other causes than that I have assigned, and than those which Mr. Patterson points out so lucidly.

There is, for instance, an old and current theory of finance, that so-called "over-issues" of bank-notes, being the chief cause of alleged "overtrading," and hence of the periodical drains for gold upon banks having a "specie basis," are the real causes of monetary panics; but the remedy prescribed — to contract the bank issues of paper money whenever any drain is made for coin — always aggravates the disorder.

[1] Economy of Capital, p. 169.

The only test applied by those theorists of the specie-basis school has always been: Is there a drain of gold upon the banks? If so, it was held to be conclusive proof of over-issues and of overtrading; to stop which it was deemed necessary to punish over-issuing and overtrading by raising the rate of interest, contracting bank discounts, and rapidly diminishing the volume of circulating bank-notes.

This whole theory is simply a fraud, — a scheme invented by money-kings to harass trade and speculate upon the ruin of traders and manufacturers. The scheme is founded upon the idea that coin is the only possible base for a paper-money circulation, and that redemption in coin is absolutely essential to the validity and existence of paper money. Logically following their premises, those theorists argued further, that their specie-basis scheme was only to be carried out by regulating the amount of bank-note issues by the amount of coin in the vaults of the bank. This was supposed to be a shrewd contrivance to protect the gold in the bank vaults from being withdrawn; but, oddly enough, the carrying out of this policy inevitably led to still more extensive runs upon the banks by bill-holders and depositors, since money became in still greater demand as the banks contracted their issues, and revulsions and suspensions followed as the natural result.

Ever since the adoption of paper money, by far the greater majority of the banks and bankers in all parts of the world have advocated and supported this false theory of finance, in order to perpetuate their power under the coin-despotism. Nearly all the monetary revulsions have been falsely charged to over-issues, overtrading, and over-importations, while the true cause of these monetary panics was to be found only in that false theory of finance which directly tended to produce them, and has in every case of its application brought a dearth of money upon traders and manufacturers.

It never occurred to the directors of banks that a run for gold could be stopped by enlarging the money issues of the banks. Even the British Parliament, in 1844, committed the gross blunder of enacting a statute that required the Bank of England to contract its bank-note circulation whenever a drain for gold commenced upon it. This was a solemn parliamentary recognition of that false theory of finance, and it brought on and aggravated the panics of 1847 and 1857. The destructive force and terrible consequences of the panic

of 1857 compelled Parliament to repeal the obnoxious act of 1844, so as to permit the Bank of England to issue bank-notes to prevent the run upon the bank for coin; and the repeal had the desired effect.

It had been believed as an article of financial faith that no drain of gold would commence unless there had been an over-issue of bank currency, followed by overtrading, and a consequent depreciation of the value of the bank-currency issues. Acting upon this *naïve* theory, the financiers of those days had but one common aim: to accumulate gold in the bank vaults and prevent the bill-holders and depositors from drawing it out. It was supposed that gold was the grand centre around which all financial operations — trade, commerce, and manufactures — revolved, and that without it financial chaos and ruin must set in. Hence all the bank acts and other schemes to protect gold in the bank vaults from removal, as the visible metallic centre of the world's finances. The innocent coin-worshippers never dreamed that any flaw could exist in their theory. They knew that gold was the beginning and the end of all financial operations, because they had received it as a sacred tradition from their ancestors. Holding, therefore, that gold must be kept in the vaults of the banks of issue, so as to support the issues and keep trade healthy and active, the general policy of all banks organized on a specie basis has been to contract the currency issue whenever, for any cause, a run was made upon the banks for gold.

But this contraction of the bank issues, far from having the supposed effect, as I have already stated, has in all cases only aggravated the run upon the banks for gold, and forced on a suspension of specie payments. Why have the financiers of the world been struggling with this problem for a century without solving it?

The obvious reason why panics occur in the monetary world is because the circulating medium becomes too small to carry on the trade of the world, which is rapidly increasing far beyond the rate of increase in money, and hence periodically causes a scarcity of money. When a scarcity of money begins to be manifest, the manufacturers and tradesmen immediately feel the pressing need of it, and seek to supply it for their trade from every money-channel open to them, and this necessity expands in every direction, until multitudes of people are simultaneously struggling in all directions to obtain money for immediate use. Everything, then, tends to increase the pressing

demand for money, while its volume is rapidly contracting. The people, driven by their great necessities, arising from this money dearth, go to the banks for relief. But the banks, being already well advised that money is scarce, — very scarce, — refuse to discount bills and issue their paper money. Then the pressure becomes greater than ever. And the banks now refuse even to renew the notes of their customers, hoping thus to draw in their circulation and save their gold. Then the people, in their desperation, start runs for gold upon the banks, and the result is general suspension, ruin, and bankruptcy.

Indeed, as the trade and business of the world increases, the narrowness of the gold basis becomes steadily narrower, the scarcity of coin becomes greater, and the revulsions called "monetary earthquakes" are more terrible. For, as the coin basis becomes more limited, in proportion to the gigantic advance of trade and manufactures, the money of account and bills of exchange must be enlarged to meet the demand. But, if the bank issues and credits are withdrawn, the immense volume of money of account and bills, that never have any specie basis, becomes wholly unmanageable, and trade is strangled for the want of any kind of money wherewith to carry on its operations. Although it is well known, that there is much less than one per cent of coin-money engaged in carrying on trade, and that, in fact, not more than two per cent of coin exists in the whole civilized world to represent bank issues, bills, and money of account, yet the majority of financiers pretend to believe, and perhaps do believe, that the trade, commerce, business, and manufactures of the world may be carried on upon a coin basis, which is simply impossible.

It seems to me, that this utter insufficiency of a pretended gold-basis, and the ruinous effects to which it gives rise periodically, have been now so clearly illustrated, both by theory and the experience of centuries, that no one, who is not wilfully blind, can refuse to acknowledge that the prosperity of mankind imperatively demands the abolition of specie as a basis for our money issues. The only safe money system is a national legal-tender currency, not based upon metallic coins, but upon all the manufactures, trade, and commodities of the nation which issues it, supported by all that nation's sovereignty, wealth, and power.

CHAPTER V.

A SPECIE BASIS NECESSARILY A DELUSION.

From all the foregoing, it is evident that the pretence of a specie basis for any kind of money of account is a mere fraud.[1] If such a basis were real, every bank of issue must have one million dollars of coin in its vaults for every million of its circulation. But this it cannot keep, or where would be the profit in issuing paper money to represent the coin? Nay, the banks themselves confess that, at the very utmost, they keep only one-third of the amount of their circulation on hand in specie. Their "promise to pay" is, therefore, an acknowledged lie. But why then keep it up, especially as the only good which it does is to keep the money market in constant agitation, and make uncertain all business transactions?

It might be further suggested, in this connection, that there is another reason why gold and silver are unfit for the purposes of money. Not only are they merchandise, but a merchandise of great value, although subject to a great deterioration of that value through its mere use; the loss by wear on gold coin circulating as money

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[1] Mr. R. H. Patterson, in his work, "The Economy of Capital" (1865), estimates the amount of gold held by the banks in Great Britain at £20,000,000, of which the Bank of England holds £14,500,000, the Irish banks £2,000,000, and the Scottish banks £2,500,000. The deposits of those banks he estimates at £400,000,000. Hence the banks of Great Britain have *only five per cent* of their deposits on hand in gold.

I may add, further, what will seem a paradox to the coin-worshippers, that the wealthier a country gets, the less it cares about the possession of gold and silver. During the five years ending 1859–64, England received, according to Mr. Patterson, £140,000,000 of gold. Of this amount it exported £138,000,000, retaining, therefore, only £2,000,000 for home use. California and Australia have grown rapidly rich, — by what? Keeping their thousands of millions of dollars of gold at home? On the contrary, by shipping them off. Only the Eastern and barbarous nations, who make no progress in wealth and prosperity, hoard and accumulate specie; the prosperous nations of the world get rid of it.

The gold and silver mines of the United States have produced since 1848-9 the sum of $1,640,000,000 of gold and silver, and yet Mr. Secretary Bristow, in his well-arranged report on the finances, of October, 1874 (p. 21), admits that we have only $166,000,000 of coin in the country. The balance, $1,480,000,000, has been exported to foreign markets.

being about three per cent per annum. A government coin of twenty dollars will, therefore, after the lapse of a few years, be no longer intrinsically worth twenty dollars, but perhaps only eighteen or fifteen dollars; and as the proposition is, that it must weigh twenty dollars' worth of gold in order to be a legal tender for that amount, it has virtually ceased to be a legal tender by having ceased to be of full weight. And, to tell the truth, the people do not really care to have gold money, except when in cases of panics the specie spectre terrifies them and renders them insane for the moment. Were there, indeed, no other reason not to use gold as money, its mere weight and continual loss by use would make it objectionable. The moving of any considerable sum from one place to another would always necessitate a dray or wagon; and who would keep a large sum of coin in his own house? Gold as a money medium, in short, has long since been dead; it only requires now an official burial and certificate of death.

To show how thoroughly this general insufficiency of a specie basis is understood by some of the ablest writers on the subject of finance, I quote from several of them. Mr. Charles Sears, a prominent political economist, says, in speaking of the inadequacy of a gold and silver money: —

"Independently of circumstances, and on its merits, the specie-basis hypothesis is the most disorganizing element that ever obtained place in society. * * * On this hypothesis our monetary, industrial, and commercial systems constitute a huge pyramid, or cone, standing on its apex. Forty billions of property resting upon six billions of current production, which rests for its value upon, say, seven hundred millions of currency, which in turn for its value rests upon two hundred and fifty millions of specie, which, so far as our possession of it is concerned, depends upon the interest and good-will of our rivals in industry and haters of our political system.

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"Of course, on this system all people, in all times, have been insolvent. Production and trade have been carried on upon sufferance. So long as confidence continued unimpaired, the movements of property were kept up; but the exigencies of the war, of local trade, and of the stock and money speculators, and the natural system itself requiring periodical settlement, demonstrate the general insolvency. Within the last fifty years, say, a money crisis has come quite regu-

larly every ten years. Something — any one of a dozen causes, few know what — sets gold flowing out. Fifty millions withdrawn in a short time from their usual places of deposit is quite sufficient to make the whole volume of coin disappear from ordinary circulation as completely as if it had never existed. The metallic basis is gone, — slipped out; the pivot of the system is dislocated; somebody wanted it, and took it; and the pyramid tumbles down, burying in its ruins three-fourths of a business generation."

And Mr. Colwell says: —

"The remedy for these evils" — *i.e.*, the insecurity of bank-notes — "which has been most relied on, is that of placing the banks under stringent obligations to pay their currency on demand in specie. This would be a complete remedy, if compliance were possible; but that is not the case, — far from it. It involves a stock of the precious metals in the country equal to the deposits and circulation of the banks, and applicable to this purpose by remaining in the banks, as a security for their issues. Security, absolute security, should be required of the banks; but it is surely an error to assume that the security must be gold or silver." [1]

Mr. Patterson, in speaking of the theory that the amount of currency issued by a bank should always vary in amount as gold varies, illustrates the absurdity of that theory by the following brief statement, which I heartily recommend to the study of those of our American financiers who have expressed a similar notion: —

"For many years during the great war with Napoleon, especially from 1808 to 1815, there was hardly a sovereign left in the country. * * * At such a time — and it may occur again — the supporters of the 'variation' theory would have left nothing to vary. The gold being 0, the paper currency should also be 0! To hold such a doctrine is to bid defiance to common sense." [2]

On page 282 of the same work he says, on the same subject: —

"This theory of variation is briefly this: If much gold happens to be brought into the country, the note circulation is likely to be increased to a corresponding extent; if gold is temporarily withdrawn from us, the note circulation also is proportionately diminished. If, owing to a temporary cause, all the gold available for monetary pur-

[1] Ways and Means of Payment, pp. 11, 12.

[2] The Economy of Capital, p. 200.

poses were sent abroad, all our paper money would likewise disappear, and the country be left without money of any kind. A more absurd theory was never propounded. If one kind of money fails us, we are upon no account to use any other. If metallic money fails us, we are upon no account to use any other. This we are told to regard as a masterpiece of economical science; this is the great discovery which our advances in civilization have revealed to us. * * * The gospel of monetary science now is, that when a country does not want paper money, it ought to have a great supply of it; and when it does require paper money, it shall have none. When a country has enough of specie, it ought to double its currency by issuing an equal amount of bank-notes; and when there is no specie, there should likewise be no notes. Is it necessary to discuss such a theory? In order to be refuted, it only requires to be stated; in order to be rejected, it only needs to be understood. It is a theoretical monstrosity which common sense revolts against, — a burlesque of reason, which even the present generation will love to laugh at."

CHAPTER VI.

THE TRUE BASIS OF ABSOLUTE MONEY.

So much has been written, *pro* and *con*, on these two subjects of a specie basis and a bond basis, that I will condense my views on it into two distinct propositions: —

I. That the pretence of redemption in gold and silver — whether asserted by a government, or by a municipal or private corporation — is of necessity a delusion and an absurdity.

II. That the holder of an interest-bearing bond — whether issued by a government, or by any municipal or private corporation — is not a whit more "secured" than the holder of a non-interest-bearing legal-tender note of the same government or corporation.

Now I propose that both of these bases, specie and bonds, shall be abolished altogether, by making the national treasury of the nation the general bank of issue, and causing its exchange or money to be issued upon the only safe and sufficient "basis" conceivable: first for the payment of the national debt, and subsequently upon their

own total trade, annual products, power, wealth, and sovereignty. The people will support the money that represents their own debts, and the power and wealth of their own country. Their money will not be "a promise to pay," but it will be the medium, and the only medium, wherewith to interchange all their commodities and transact all their business.

This absolute money, therefore, in the nation that issues it, will be redeemable not only in specie, — as ordinary bank-notes are, or rather pretend to be, since they never can be so fully redeemed, — but will be redeemable, or rather convertible into *all* the commodities of that nation, — into all its products, including gold and silver. No panics, no revulsions in trade can, therefore, affect it; indeed, it will prevent all such panics and revulsions. The present annual productions of the country amount in value to more than $15,000,000,000, of which $76,000,000 are in gold and silver. All these fifteen thousand millions of products would be, as it were, a security for that national money, since that money would always be a legal tender, and the only legal tender in the country, for the purchase of them; and it must be further remembered, that every year swells the amount of our annual products in enormous proportions, and increases the security of this absolute money in a corresponding ratio. This is another reason why the gold basis is utterly unsuited for the transaction of modern trade and business. Not more than $350,000,000 of gold and silver money now exists in the United States, as a basis for our interstate business, and for our foreign exchanges in the yearly interchange of our products and commodities. This amount of gold and silver money remains comparatively stationary, and hence is evidently altogether too narrow a basis to meet the requirements of our interstate commerce, and for the constant and rapid increase of our business transactions. Hence, I propose to substitute in its place a redemption or conversion of the absolute money so large that it can never fail. It is in our $15,000,000,000 of annual products, and our foreign and interstate trade therein, and in all the other revenues and wealth of the people and the government, its public lands and its taxation, that we find the only basis large enough to support the amount of money needed by our country.

These are the factors that will support and redeem, by perpetual conversion, the absolute national money; and what other redemption should it need? It is the exchange, conversion, and use of the

annual products that makes the absolute-money system necessary; and what greater security can be conceived than its exclusive applicability for that exchange, use, and conversion?

This money, besides, will be based upon the whole bonded debt of the people of the United States; for the whole of that debt will be redeemed by this money gradually, as I shall show more at length hereafter. This money will, therefore, represent in reality only the amount of the national debt now owing by all the citizens of this country. What is the use, then, of trying to redeem in gold and silver coin, and of thereby cancelling a money medium which represents their own debts, and at the same time serves, in its function as a circulation, to carry on all their business operations and the development of all their industries on the safest and most practical basis?

Each citizen being equally interested in the coöperative government of the United States, in proportion to his capital and industry, and bound to accept this money as the only legal tender of the nation, it is absurd to speak of an artificial and deceptive redemption in specie in connection with it. Each citizen at present owes his share of the public debt, and is bound to pay his portion of it out of his share of all the commodities and annual products of the country; and Congress has full power to make such payment legal, and bind all the citizens to liquidate the debt by taxing them. But Congress has also full power to liquidate the debt by substituting in its place an absolute national money, and bind the citizens to take it, by making it the exclusive legal-tender of the country; and I submit that, apart from all the other reasons advanced by me, the immense economy resulting from such a substitution of money for bonds drawing interest ought alone to decide in its favor.

Based thus upon all the products, commodities, the wealth, power, and sovereignty of the nation, this money would operate in representing absolute value without any intrinsic value of its own, somewhat like an execution issued upon a judgment for the collection of, say, $100,000 out of the property of a defendant. This, as an instrument representing values, has no intrinsic value of itself. It is a piece of paper, with the seal of the court attached to it, and an order to the sheriff to levy upon the defendant's property and sell it, to make the amount out of it which is necessary to pay the plaintiff's judgment. The power of the execution and its value, in fact and in

law, depends not upon the value of the material on which it is written or printed, but upon the available wealth of the defendant wherewith to pay or satisfy it, and the authority of the State within whose jurisdiction the writ is issued, to compel the enforcement of the process. The same governmental power that makes the execution so capable of representing value, gives the national money power to satisfy the execution. One piece of paper satisfies the other; in this way the absolute money issued by the government would represent all the available wealth, present and future, of the nation and each one of its taxable inhabitants. The advocates of a specie basis sneer at this proposition of a currency irredeemable in specie. But why call it irredeemable, when I propose that the government shall make it redeemable in all the commodities of the nation, receivable for all salaries, debts, judgments, and taxes, duties and imposts, by constituting it the only legal-tender for all time to come? It seems to me, rather, that *specie* would be irredeemable, when once deprived of its legal-tender character.

This is by no means an exaggerated statement, put in here for antithetical effect. Gold, for instance, is not "redeemable" in the greater part of Asia. Silver, on the other hand, is not "redeemable" in Germany, and has even in England fallen nine per cent in price during the last three years. Germany has demonetized $300,000,000 of silver coin, and is very anxious now to get rid of it at a considerable discount. Belgium and Holland also evince a disposition to demonetize silver, and if they do there will be another $100,000,000 thrown upon the market. But there is very little demand for it. Nobody wants the "precious metal" in Europe, strange as this may sound to our American specie-worshippers, who are always pointing to Europe as the country we should pattern after in financial affairs. The greatest demand for silver is in Asiatic countries, amongst the lower classes of the populations of China and India. But the commerce of those nations is so limited, that their requirements fall far short of the amount of silver put up for sale in the European market. England last year exported to the East and to Egypt £6,840,000, which is only some £3,000,000 in excess of her average annual export of silver to those countries. These £3,000,000, or $15,000,000, came from Germany; but if the demand grows no larger, the price of silver will probably fall still considerably below its present discount of nine per cent, especially as the supply of that metal from our mines

in Montana, Nevada, Utah, Colorado, and New Mexico is likely to increase constantly.

And why is silver not wanted by the people of Europe? Clearly not because the opening of new mines has produced an excess of money in Europe, as the specie-worshippers argue; for if there were an excess of money, the people would not increase their money circulation by issuing more paper money, as they do in every European country. Paper money is not at a discount in England, in France, or in Germany. It is only specie (silver) money which has depreciated in value. Let our specie-spouting financiers in the Federal Congress explain why we should reëstablish as money a metal which has been demonetized in one of the largest countries of Europe, is now at a discount of nine per cent in London, and will, according to all appearances, continue to depreciate for a long time. "Redeemability" of our legal tender in (silver) specie would, therefore, not only be a fraud, but it would be a downright swindle perpetrated upon the holders of the legal-tenders; unless, indeed, all three kinds of money — the greenbacks, gold, and silver money — be placed on the same footing of perfect equality.

The advocates of a specie basis also call a currency irredeemable in specie a forced loan. But the same term might apply to the gold and silver coins, which they propose to constitute the exclusive money of the country. Besides, has not the check and draft system of our banks also the character of a forced loan? And ought the largest corporation of a country, the government itself, to be deprived of a privilege which it confers now upon the directors of every village bank which it charters? Is it not a downright absurdity that we should pay $20,000,000 in gold annually in interest to national banks, for giving them the privilege of issuing a currency upon the security of our government bonds, when the government itself could issue such a currency with equal security, and at a great saving to the people at large?

And is it not equally absurd to look upon the legal-tender notes of the national government as unsecured because they have no "specie basis," and at the same time to speak of the notes of the national banks as secured because they have a "bond basis?" The legal-tender note is a paper issue of the government of the United States, and so is the bond pledged for the redemption of the issue of the

national banks. Is the bond, which bears interest, a better security than the legal tender, which bears no interest? I should say, rather the reverse; and for the simple reason that the amount of the legal-tender notes does not increase by the accumulation of interest. It is gratifying, however, to notice that the minds of the people at large are gradually becoming convinced of the uselessness and expensiveness of this national-banking system, and warrants the hope that they will also, in course of time, see the uselessness of the bond system, and the immense advantage of substituting in its place a pure legal-tender money, large enough in volume to meet the requirements of all the business, trade, and manufactures of this vast country. That the people of the United States will ultimately establish such a money, I do not doubt in the least, since even some of our most eminent public men have already cast off their old superstitious faith in the almighty power of coin as money. Thus, the Hon. George Opdyke, who is not only distinguished as a political economist, but also as a practical banker, defines money, not as gold and silver coin, or the representatives of coin, but as "an instrument of commerce designed to facilitate the exchange of all other commodities, by presenting an *equivalent* in a portable and convenient shape." And the Hon. O. S. Halsted, ex-chancellor of New Jersey, in quoting Mr. Opdyke's definition, in a letter to the Hon. John G. Drew, of Massachusetts, who also is a convert from the faith in coin almightiness, says: —

"I am glad to be able to agree in Mr. Opdyke's definition of money. We hear it said nowadays that gold is mere merchandise. Gold-dust, ingots, and nuggets are merchandise, * * * but gold coined by government is money. *A government, however, can make money*[1] *of any material, and of any shape and value it pleases.* Our government has made what we call legal-tenders money, or instruments of commerce; can it be said that those legal-tender notes are merchandise? One and the same thing cannot be both money and merchandise."

In this place I may as well answer the objections which Mr. Patterson raises in his work, "The Economy of Capital," against such a system of *national* absolute money as I have proposed. The reader

[1] Opdyke's "Instrument of Commerce."

will have already seen, from the various quotations I have made from Mr. Patterson's excellent work, that in the main his views on finance agree entirely with mine. He holds, as I do, that the value assigned to gold as the exclusive money-medium, or, as Mr. Patterson phrases it, the "canonization" of gold, has its origin simply in fiction or superstition. He holds, as I do, that it makes no difference at all whether the substance of which money is composed has any intrinsic value at all; "that gold, silver, copper, iron, shells, pieces of silk, cotton strips, stamped leather, and stamped paper" have been used and are used in different parts of the world as money with equal success; and that the one quality which gives the substances their circulating power as money is simply "the agreement on the part of nations to recognize those substances as representatives of wealth." Mr. Patterson agrees with me, furthermore, that gold and silver are altogether unsuited and inadequate to carry on the trade, commerce, and enterprises of modern times; unsuited, on account of their weight, their susceptibility to wear, and their great bulk; inadequate, because the amount of gold and silver in the world would not be able to transact five per cent of the world's business, — not even the business of London alone. Mr. Patterson, therefore, agrees with me, that it is an absurdity, and productive of constant financial distresses, if the business of the world makes still the pretence of being carried on upon a specie basis; especially as the banks, through whom the interchange of that business is effected, are constantly crippled by being supposed to operate upon a specie basis, which they demonstratively cannot do. He proposes, therefore, that paper money, which has hitherto been only a *representative* of gold money, should become a *substitute* for gold money, — the same proposition that I have made.

But from this point on we differ. Whilst I propose that the paper money should be only of one kind and issued by the nation, guaranteed by the annual products, trade, commerce, business, and all the power, wealth, and sovereignty of the nation, and made the exclusive legal-tender over the whole country, Mr. Patterson would have the issue of currency intrusted to a number of private banks, and leave it to the discretion of the bank directors and the confidence of the people how large such issue should be. But I will let Mr. Patterson speak for himself, both in regard to his argument against a national bank and in favor of private banks. Having alluded to our American

legal-tender issue, of which he speaks as in the nature of State bank issues, he says:[1] —

"A State bank[2] would unquestionably have certain advantages. Its notes being receivable in payment of taxes, and being issued on the security of government, would be made a legal tender throughout the kingdom. They would furnish an adequate currency for the whole internal trade and domestic requirements of the country. And thus, in great emergencies and exceptional times, these State notes would supply an adequate currency for the country, even if, owing to an absence of gold, they were temporarily inconvertible. Nay, more: by means of such a State currency, the precious metals, *and the fluctuation inseparable from them, could be dissociated from the currency, and their value would be measured in it like that of all other commodities.* With such a currency, in fact, gold and silver would be bought and sold just like corn or coal, iron or cotton.

"Attractive as such a currency system is, it is open to what we regard as a fatal objection. It is in the form of a State currency alone that the paper money of a country can be depreciated. The note issues of banks never cause the currency to become redundant, * * * for the banks of a country have no motive to diminish their profits by unduly lowering the rate of discount; *and if there be no undue lowering of the rate of discount, there can be no undue expansion of the currency.* The trading and industrial classes will not pay for more discounts than they want; and it is only by means of discount operations, and such like advances, that a bank can get its notes into circulation. But with a government the case is widely different. A government expends many millions of money every year, and all these payments can be made in its own notes. *Any amount of paper money may thus be forced into circulation, whether there is a demand for it or not.*"

Before proceeding to answer Mr. Patterson's objection to a "State (or national) bank," and his arguments in favor of private banks, I desire to call attention to a singular admission on his part in favor of a "State bank," to which he attaches paramount

[1] The Economy of Capital, p. 343.

[2] Whenever Mr. Patterson uses the term "State bank," let the American reader translate it, "Bank of the United States," as the States of our Union are not States within the European meaning of the word.

significance in various other parts of his book. He says that the fluctuations inseparable from a specie basis could be dissociated from a "State bank" currency, and that the value of the precious metals would be measured in it like that of all other commodities. This means, of course, that such a "State" or national currency would be subject to no fluctuation whatever, — a proposition which I have conclusively demonstrated in previous parts of this work, — and that "no variations could take place in it as a measure of value," to use Mr. Patterson's own words. But this "variation" is precisely the main objection which he raises against the present money-system of Great Britain. He says:[1] "Far greater and infinitely more injurious to the community" than a change in other measures would be, "are the variations which at present take place in our measure of value. That measure" — the money-measure of the bank-notes issued on a specie basis — "is constantly expanding and contracting in a manner that baffles all calculation. It varies sometimes even to the extent of a third or a fourth, — to the extent of twenty-five or even thirty per cent." By which he means that the expansion or contraction of the volume of currency, which volume here he calls the measure of values, raises or lowers the price of commodities; a pure assumption, as I shall show, and as Mr. Patterson elsewhere also admits, since the volume of currency or circulation has very little to do with the prices of things, unless it becomes so small as to paralyze or cripple trade.

Now, Mr. Patterson supposes that this money-measure of Great Britain can be made far more uniform if the circulation of the country is so regulated as to avoid recurring scarcity or redundancy; and since that circulation is composed of two factors, — specie and bank-notes, — his proposition is, that as specie is withdrawn, more notes should be issued to take its place and fulfil its functions, whilst if specie accumulates, notes should be withdrawn. But if there "is an extra demand for money," then an extra issue of notes should be made also; since in that case the effect of such issue would be simply "to preserve the measure of value unchanged."[2]

This would still give a sort of specie-basis to the banking system of Great Britain, and hence would leave unremoved the difficulty

[1] Economy of Capital, p. 286.

[2] Economy of Capital, p. 297.

which the financiers of that kingdom have never been able to solve: to organize a banking system upon a specie basis which would furnish the people a permanently reliable "measure of value;" Mr. Patterson himself admitting that no stable or fixed measure of value has ever existed in the United Kingdom since the organization of the Bank of England, in 1696. For, no matter how the withdrawal or accumulation of coin and the issue of bank-notes may be made to correspond with each other, two great factors will always act as disturbing elements and vary the "measure of value," namely: first, the growth of trade and enterprise; and, secondly, the increase of gold and silver money from the mines, — an increase that, during the past twenty-seven years, has reached the large sum of over $2,400,000,000, and during the operation of which the "measure of value" has become more uncertain than ever, and panics consequently more destructive. And it must further be taken into consideration, that this uncertain and constantly fluctuating increase of specie money is made still more variable by the wear of the precious metals. In gold, intrinsically the most worthless of all metals, this wear assumes astonishing proportions. The gold-worshippers may find it rather hard to believe, but it has nevertheless been ascertained by careful calculations in various countries, that the gold coins of a country, in actual circulation, lose about one-hundredth part in value every year from mere wear. A thousand dollars of gold coins are thus reduced to zero within one hundred years; and the above $2,400,000,000 added to the world's metal money in the course of the last twenty-seven years have been already reduced by wear to about $1,752,000,000.

If Mr. Patterson, however, really does not desire a specie basis, and proposes to bring permanency into the "measure of value" of Great Britain by leaving the issue of paper money solely to private banks, he will still less accomplish his object by that plan. And this leads me to the promised criticism of his system and its comparison with mine.

If there is no governmental money in a country, — this is Mr. Patterson's argument, — no government bank, in short, under the control of legislation, but if the issue of bank-notes is left entirely to private incorporated banks, unrestrained by law in any manner, and kept in check only by the demands, needs, and confidence of the people, then that country will have a perfect system of banking, and fluctua-

tion in the value of the "money-measure" will be next to impossible. The discount operations of these private banks will be, in Mr. P.'s opinion, the restraining element against excessive expansion; "since it is only by means of discount and such like advances that a bank can get its notes into circulation," and since "the trading and industrial classes will not pay for more discounts than they want."

It were well if this were true, — if people would not borrow any more money than they needed! If this were so, we should have less "enterprise" in the world, but also proportionately less bankruptcy and financial distress. But the whole history of finance proves rather the reverse, namely, that people will pay discount for all the money they can get, no matter what kind of money it is. Whether a bank has a right to issue money, or whether by issuing it the bank endangers its financial position, the borrower does not stop to inquire; all that he cares for is, that the money shall serve his immediate use. He wants to build a railroad, for instance, hundreds of miles away from the bank with which he negotiates his loan. The bank has no notes to spare just now; but under Mr. Patterson's rule, that the loan would not be asked for if there were not an actual need of the money, the bank issues as many notes as the borrower desires. He builds his road and pays out the notes, which thus become scattered all over the country. What does he care whether the notes remain current or not? Suppose that the railroad enterprise turns out a failure before he has repaid the bank its advance. Will not the bank bear the whole loss? And will not every bank, under the operation of such an unchecked system, be tempted to negotiate just such loans, and in such amounts as must necessarily drive them in the end into bankruptcy? It is true that in Scotland a similar system has been extremely successful. But Scotland is a small country, and its people are exceptionally prudent and honest. The experience of every country in the world where such unchecked issues of private banking corporations have been tried, contradict the experience of Scotland flagrantly.

In this country we have had special facilities to become acquainted with the practical operation of Mr. P.'s banking scheme. A number of my readers will recollect the results that followed President Jackson's breaking up of the United States Bank, and the removal of the Federal treasury-deposits to the State banks, which were precisely such private incorporated banks of issue and discount as the Scottish

banks, that are Mr. P.'s ideal. From 1833 to 1837 the issues of those banks and their discounts were so excessive, that a universal speculating mania set in, which was followed, as a matter of course, by a general suspension and financial depression, so terrible in its effects that it took the country full ten years to recover from it. On a still larger scale — in proportion as the settlement of the country had enlarged and new States been added to the Union — was the panic of 1857. Again, every State had its countless numbers of banks of issne and discount, all of them practically unchecked in their operations; for although the law required each bank to hold a certain proportion of their circulation in gold on hand in their vaults (in most of the States one-third), that regulation was virtually inoperative. Supervision by the law, or by the banks themselves over each other, was in fact absolutely impossible, considering the number of banks and their remote locations. The demand for discount was unlimited. Everywhere railroads were constructed, towns built, land bought and put in cultivation, manufactories started; and nearly all this enterprise was carried on by money obtained from the banks, who never thought of "lowering their rate of discount" as they increased their circulation, — as Mr. P. seems to think must be the effect of expansion, — but, on the contrary, were generally enabled to raise their rate of discount in the face of this universal demand for money. Suddenly a small storm-cloud of distrust arose in New York, owing to the suspension of a large bank, the Ohio Life and Trust Company, and spread with the speed of lightning over the whole country, letting loose all the fury and violence of a money hurricane. Every bank was forced to suspend, the greatest number forever. It is true, that the more cautious and stronger banks of New York City and Boston, although obliged to suspend temporarily, were able to come out right again after the first violence of the storm had passed over, and that the circulation of those banks never depreciated; but the number of incautious banks was incomparably larger. Nor can I conceive by what methods and regulations the imprudent, excessive issue of circulation and discounts which brought on the panic of 1857 can be prevented, especially where the number of banks is so large, and where they are scattered over so extensive a territory as the United States. I do not mean to say that the amount of money put forth by those banks in 1857 was larger than the country needed at the time; likely enough, it was not even sufficient. But as that

paper money was issued by private banking corporations, it had necessarily a "redeemable basis,"— which at that time was a specie basis, — and this was the real cause of the runs on the banks and the consequent suspensions. Had those banks been national banks or private banks, using for their circulation national legal-tender notes irredeemable in specie, but convertible into all the products of trade and industry in the nation, there would have been no runs and no suspensions, even if the circulating medium had been twice as large. This has been shown by the panic of 1873, when there was no run to speak of upon national banks for the redemption of their notes in legal-tender money, and when gold was lower in price than it had ever been since the outbreak of the war, or has ever been since.

And this brings me — having shown Mr. Patterson's argument in favor of private banks to rest on a false presupposition — to meet his objection against a national money-system such as I have proposed in this work; for he has only one objection to such a money, though he admits its advantages to be numerous and great. He admits that an absolute national money-system would furnish "an *adequate* currency for the *whole* trade and domestic requirements of the country;" adequate even "in great emergencies and exceptional times," and even "if they were temporarily convertible into specie." Nay, he admits that such a State or national currency would put an end to the fluctuations arising from a specie basis, and thus achieve the greatest of all financial *desiderata*, — an unchangeable measure of values.

And what is the one objection which, in Mr. P.'s opinion, outweighs all these admitted and inestimable blessings? Because "it is in the form of a State [national] currency alone that the paper money of a country can be depreciated." Why? The answer shows the weakness of Mr. Patterson's objection most clearly. Because "a government expends many millions of money every year, and all these payments can be made in its own notes." As if every government did not possess this right to issue bonds, notes, or any other kind of pledges to meet financial emergencies, no matter whether there are private banks of issue in existence or not! That power of a government, therefore, which Mr. Patterson considers the only objection to a national money-issue, namely, the power to increase its money or debts by new issues for either annual or extraordinary expenses, cannot be taken away from a government at all, being

inherent in its sovereignty. Hence, so far as that objection is concerned, it is altogether indifferent whether a government is always the exclusive issuer of bank-notes for a country, or whether it leaves such issue to private banks during ordinary times, and resorts to issues of its own only during extraordinary times. In truth, Mr. Patterson himself, in other parts of his work,[1] seems to suggest that government, or "ordinary legislation," as he says, ought to exercise that power in extraordinary times, namely, the power of increasing the money circulation of the country. Or else, what does he mean when he congratulates Great Britain that "a great war and serious necessities of the State" forced the government to introduce the blessings of paper money into that country, and expresses a belief that "another great war and pressure of State necessities" would do away with the last "errors of the bullionist theory;" which can only mean, in the connection, that it would end in the abolition of a specie basis, and in the issue of more money, directly and indirectly, through the government. What Mr. Patterson says of the French assignats, and other national-money schemes of the past, I have controverted elsewhere; but when he cites our greenbacks in the same category, he is essentially mistaken. The strict truth is, that our greenbacks have never been a depreciated currency; that is to say, the price of all commodities, with the exception of gold and silver, has remained pretty well stationary during all the issue of greenbacks. The few things that rose in value beyond the ordinary rate were chiefly war necessaries; but then numberless other things fell in price for some time. I need merely allude to real estate in most parts of the country.

Greenbacks had, therefore, not depreciated. But it has become the fashion of late to state, as an axiom which no man would dare to dispute, that it was not gold which was at a premium here, but our greenbacks which were at a discount. That this axiom is utterly false, appears from what I have just said. If greenbacks were at a discount, the price of *all* commodities would be raised in proportion to the discount. But it is a notorious fact, that it was and is only gold and silver upon which the price has been raised. Though gold was quoted at fifty per cent premium, as against greenbacks, in Wall Street on one day, and at two hundred per cent premium a few days

[1] See, especially, pp. 455, 456.

after, the price in greenbacks of lands, houses, rents, groceries, nearly all the dry goods, etc., remained quietly the same. The currency, therefore, was not depreciated, but gold was, through the agency of coin and stock gambling, at a premium. So was gunpowder and labor; so were cannons and cannon-balls; and these were real premiums produced by the stern demands of war.

If that sort of argumentation held good, that our currency depreciated during the war, because Wall Street speculation, of the wildest, most unsubstantial kind, sent the price of gold up to two hundred and seventy-five per cent premium for a short time, what must we say of the depreciation which *gold* suffered in England during the same period; since the price of *cotton* rose in that country, from 1860 to 1864, full four hundred per cent. As against cotton, the gold money of Great Britain had, therefore, depreciated considerably more than our legal-tender money had depreciated as against gold in Wall Street, with all the stock and coin gamblers to support it. And, what is more, the legal-tender depreciation here was merely a speculative affair, while the gold depreciation as against cotton in Great Britain was a grim reality, for awhile spreading fearful ruin over the manufacturing districts. The demand for cotton and gold in the respective localities regulated the price of each commodity, according to the laws of trade.

But I go further, and deny Mr. Patterson's assumption, that under a well-regulated national-money system, like mine, the government would settle its payments in its own notes, and thus force "any amount of paper money into circulation." Its yearly payments would be settled by its yearly revenues, which by close calculation can always be made large enough to meet every contingency. Should there be a deficiency, however, I don't see why it would be more improper to supply it by an issue of treasury-notes than by an issue of bonds, as governments are now in the habit of doing. I am fully convinced, however, that a well-regulated system of annual statistics, and a carefully prepared report made by a board of commissioners, based upon those statistics, and stating the amount of additional money, if any, needed by the country, would render any extra issues unnecessary, except in the case of another war.

PUBLIC HIGHWAYS.

CHAPTER I.

THE NATURE OF HIGHWAYS.

The State guarantees to each citizen full protection in the harmonious and fit enjoyment of all the faculties of his mind and body. In order to be able to make good this guarantee, the State must be able to have access to all citizens, and they with each other and with the State. The right of the State to have such access constitutes its right and duty to lay out public highways and regulate the intercourse thereby established between its citizens. The State must, moreover, have the right of the speediest access to its citizens, for how could the State guarantee protection to each citizen if other citizens had speedier access to him? If the State had control only over common roads, while criminally aggressive citizens had control over railways, where would be the sovereign power?

Furthermore, since in a well-regulated State each citizen has his specific vocation, and thus is dependent upon being able to have transmitted to him the productions of all other vocations which he stands in need of, the State must be in a position to govern all such transmission, and hence must have full control over all means of transmission or communication, of which there are at present three: those of postal, those of telegraphic, and those of commercial intercommunication. For in no other way could the State guarantee to each citizen his right to all the products of others which are purchasable, and which he, by his labors in his vocation, is able to purchase.

CHAPTER II.

THE MAIL AND THE TELEGRAPH.

For some inscrutable reason, the State has hitherto conceived it to be the duty of government to take control of only one species of intercommunication: that of letters. For this reason, government has established a post-office department, by means of which all its citizens are guaranteed the right of correspondence by written letter. At the same time, this department has selected chiefly one species of merchandise for governmental transmission: that of printed matter, though only to a limited extent. It is hard to say why, with the invention of the telegraph as a quicker mode of communication than that by letter, government did not at once take control of it. The same principle underlies the telegraph as the mail: that it is the duty of the State to secure to each citizen sure communication with every other citizen in the quickest possible manner. To leave this matter to private corporations is unsafe, and leads to the establishment of monopolies, that are a constant oppression of the people and a permanent danger to the State itself.

In a well-organized government, therefore, the State itself will take possession of all lines of telegraph, and operate them exclusively for the benefit of the people; and submarine lines of telegraph connecting foreign States across oceans, gulfs, lakes, and bays should be put under the control of the two States thus connected, so that neither the people nor the government of those States may be dependent upon, and at the mercy of private monopolies.

It is no easy task to make men realize the danger threatening from such an extraordinary monopoly as the telegraph system has grown to be in our country. Sure of the permanence of our republican institutions, we allow these agencies of tyranny to grow up without check or hinderance, and to increase their power by consuming the lesser attempts at rivalry and competition in the simplest manner, — that is to say, by buying them out. All European States, one after another, have found it necessary to take control of the telegraph, and in every case the result has been of the greatest advantage and profit to the people. Great Britain was the last one to take the control of

the telegraph from private monopolies and exercise it solely for the advantage of the State at large; and while under corporate management the telegraphic communications had increased only from six millions in 1860 to eight millions in 1868, which is an average annual increase of only fifteen per cent, under the management of the government the business steadily increased at an annual average of thirty-three per cent. This extraordinary result was mainly due to the fact that when the British government took charge of all the telegraph lines, in 1870, it at once lowered the rates one-third.

Private corporations are always very slow in reducing rates. If the mail business had been put into the hands of private express companies, the postal charges would still be at rates now long since abolished. But the government, being interested in no dividend account, and making its calculations only on the basis of accommodating the greatest number of people, without any other expense than the mere accommodation costs, acts on an entirely different principle, and accordingly invites additional business by lowering rates. We all know what an immense increase of letter-writing followed the introduction of the present low rates of postage. Were government to take hold of the telegraph lines and reduce the rates as Great Britain has done, or Belgium, the business of the telegraph would doubtless quadruple in the course of two or three years. As it is, our rates of telegraphing are twice as high as the rates are in England, and three times as high as rates in Belgium; and the result has been, that while the increase in the number of messages sent in Great Britain since 1870 has been an average of thirty-three per cent per annum, the increase in our country has been only sixteen per cent. The people have a right to the speediest and cheapest mode of intercommunication with each other, and it is the duty of the government to furnish it, and guarantee its accuracy and certainty.

Still, it is not alone in this respect that the telegraph business needs the control of the government. It not only hinders intercommunication under private management, but it has become one of the monopolies that virtually rule the country with despotic sway. Its growth into this power is a curious one, though the same phenomenon has been witnessed in every other country that first allowed private corporations to undertake enterprises that were peculiarly within the right and duty of the State to establish.

No sooner did the first telegraph between Washington and New York prove a success, than all over the country occurred a general pole-raising and wire-stretching, wholly regardless of the immediate prospects of sufficient earnings to maintain the lines. In our usual style, we discounted the future most liberally, organized small companies in the various villages of the land, and looked on composedly as one after the other broke up, the larger ones feeding on the smaller awhile, then themselves swallowed by the still larger ones, until only two were left to devour each other, — the Western Union, with the main business of the country from New York to San Francisco and over all the Northern States, and the American Telegraph Company, having lines in some Southern States and along the sea-coast. About the year 1858 the Western Union had reached the position of telegraphic supremacy, and began its career of glory, power, and dominion.

Its capital was then $385,700. During the following eight years it declared, upon this insignificant capital-stock, dividends to the amount of $17,810,460, which, with the issue of some stock for other purposes, raised its capital in 1866 to $22,013,700. In other words, on its capital of $385,700 it paid during these years an annual average cash and stock dividend of $2,745,922.

With this enormous profit of eight years, it was now in a fair condition to swallow its only great rival, the American Telegraph Company, which had a capital of $3,833,100. This it paid them, and a bonus of $8,000,000 of stock in the Western Union as a dividend.

Then another small company, that had sprung up as a sort of blackmail competition with the Western Union, and which had constructed a few thousand miles of almost worthless lines, had to be put out of the way. The Western Union paid $7,216,300 for these lines, and thus became then the exclusive telegraph company in the United States, having raised its capital from $385,700 in 1858 to $41,060,100 in 1870, on all of which watered-stock capital the people, who are compelled to use the wires, have to pay interest at the high rates asked for the transmission of messages.

Since 1870 the telegraph business of the United States has increased fully one-half more, as will appear from the following tables: —

The Telegraphs of the United States.

The mileage of lines and wires, number of offices, and traffic of the Western Union Telegraph Company for each year, from June 30, 1866, to June 30, 1879.

Year.	Miles of Line.	Miles of Wire.	No. of Offices.	No. Messages Sent.	Receipts.	Expenses.	Profits.	Average Tolls per Message.	Average Cost per Message.	Average Profit per Message.
								Cts.	Cts.	Cts.
1866 .	37,380	75,686	2,250	.....	.....	.....	.....	.....	.....	.....
1867 .	46,270	85,291	2,565	5,879,282	$6,568,925	$3,944,006	$2,624,920	.....	.....	.....
1868 .	50,183	97,594	3,219	6,404,595	7,004,560	4,362,849	2,641,711	104.7	63.4	41.3
1869 .	52,099	104,584	3,607	7,934,933	7,316,918	4,568,117	2,748,801	89.3	54.7	34.6
1870 .	54,109	112,191	3,972	9,157,646	7,138,738	4,910,772	2,227,966	75.5	51.2	24.3
1871 .	56,032	121,151	4,606	10,646,077	7,637,449	5,104,787	2,532,662	69.5	45.7	23.8
1872 .	62,033	137,190	5,237	12,444,499	8,457,096	5,666,863	2,790,233	66.2	43.8	22.4
1873 .	65,757	154,472	5,740	14,456,832	9,333,018	6,575,056	2,757,963	62.5	43.4	19.1
1874 .	71,585	175,735	6,188	16,329,256	9,262,657	6,755,734	2,506,920	54.9	39.5	15.4
1875 .	72,883	179,496	6,565	17,153,710	9,564,575	6,335,415	3,229,158	54.0	35.2	18.8
1876 .	73,532	183,832	7,072	18,729,567	10,034,986	6,635,474	3,399,510	50.9	33.5	17.4
1877 .	76,955	194,323	7,500	21,158,941	9,812,353	6,672,225	3,140,128	43.6	29.8	13.8
1878 .	81,002	206,202	8,014	23,918,894	9,861,355	6,309,813	3,551,543	38.9	25.0	13.9
1879 .	82,987	211,566	8,534	25,070,106	10,960,640	6,160,200	4,800,440	.....	.....	.....

There is to be added to the above the lines of the Atlantic and Pacific Telegraph Company, including in its system several railway telegraph connections within the United States, as follows, January 1, 1879: —

Miles of line	8,706
Miles of wire	22,421
No. of offices	223
No. of messages	1,269,510
Net earnings	$265,566.74

Besides the above, there are many new lines of telegraph which have complied with the Telegraph Act of 1866, and are operating wires with or without connection with railway companies. The following embraces a few only of these, with their mileage: —

	Miles of Line.	Miles of Wire.
American Rapid Telegraph Company, New York to Boston	250	500
American Union Telegraph Company of Indiana	275	....
Baltimore and Ohio Railroad Telegraph Company	1,304	3,367
International Ocean Telegraph Company, New York (inland line)	502	574
North-Western Telegraph Company of Kenosha, Wisconsin	....	....

In fact, the telegraph business in the United States has immeasurably outstripped that of any other country in the world. It is nearly

four times as large as that of Austria-Hungary, of Germany, and of Great Britain; nearly three times as large as that of France, and nearly twice as large as that of Russia. The following table gives the exact figures for 1877: —

Telegraphs of the World in 1877.

Countries.	*No. of Offices.*	*Length of Lines — Miles.*	*Countries.*	*No. of Offices.*	*Length of Lines — Miles.*
Argentine Republic	182	5,339	India, British	225	15,705
Australia and Polynesia	658	22,039	Italy	1,408	45,557
Austria-Hungary	2,924	28,148	Japan	1	1,840
Belgium	613	3,160	Mexico	194	5,760
Bolivia	15	475	Netherlands	335	2,166
Brazil	89	3,510	Norway	197	4,827
Canada, Dominion of	830	10,995	Persia	46	2,458
Chili	55	2,650	Peru	25	608
Colombia	36	1,227	Portugal	144	2,190
Costa Rica	16	220	Roumania	165	2,487
Denmark	178	1,591	Russia	1,691	57,338
Ecuador	10	210	Spain	264	7,510
Egypt	78	3,980	Sweden	628	6,094
France	4,406	33,895	Switzerland	1,053	4,015
Germany	5,109	24,103	Turkey	401	17,618
Great Britain and Ireland	5,375	25,206	United States of America	8,829	94,714
Greece	69	992	Uruguay	.....	1,300
Guatemala	42	1,226			

But although we are so incomparably ahead of other countries in the extension of our telegraph lines, we do a comparatively small telegraph business when we look at those countries where the telegraph has been put under government control, — England and Belgium, for instance, — and where the rates of messages have consequently been lowered. Thus, while we ought to send off forty million messages per annum in order to be on a par with Belgium, we send off only ten millions. Unable to afford such high rates as our companies ask, we use the telegraph only for the most important matters, and when it is positively unavoidable. It is simply despotism in this manner to levy so high a tax upon the people for their telegraph business, — a despotism which, were it in the nature of a direct tax, — a direct extortion, — would at once cause a revolt.

Now, it has already been shown that the postal department of the United States is a vastly cheaper carrier of the mails than any private company could furnish. No express company would transmit the letters and papers forwarded through the United States post-office at less than three times the rates now charged; nor should it be forgotten that the economical functions of a national government can attain

international dimensions utterly beyond the reach of private corporations. This has been most strikingly illustrated by the establishment of the postal union, before alluded to, by means of which letters can be sent from any one of the twenty-odd countries composing that union to any other, at the low rate of five cents for each half-ounce, — a rate three times lower than it was before the establishment of the union, — while smaller messages can be sent by postal-card at a cost of only two cents. Newspaper and other mailable packages are forwarded at a proportionately low charge. Would any private express company undertake the transmission of mail-matter at such prices, say from Missouri to New Zealand or Japan? Assuredly not. And the whole secret lies in this: that these private corporations must pay interest on their bonded indebtedness, and are anxious to declare heavy dividends for the benefit of their stockholders.

But what I have here said about the mail applies equally to the telegraphic communications. That also can be operated for the people vastly cheaper, safer, and speedier by the government than by private corporations; and for the same simple reason: that the government conducts its business on the coöperative principle, for the benefit of the whole people, charging no more for its services than will pay expenses.[1]

But there are other considerations why the national government should assume control of the telegraph business of the republic. Firstly, as I propose the establishment of a State and national police system, it will become absolutely necessary that the telegraphic communications between all parts of the republic should be controlled exclusively by the government, for the protection of its citizens against fraud and violence, and for the arrest of all guilty parties.

At the same time, since the State itself will become the sole maker of money, leaving gold and silver, in their natural condition, to become mere articles of commerce, — in which condition they will soon sink down to their real value, — the post and the telegraph will also become the means of regulating exchanges all over the country. This will have the effect of making exchange nearly par all over the United

[1] Practically, this has already been shown by the experience of England and Belgium. In both countries the telegraph lines have been put under government control, and the result has been that messages are transmitted now at *one-third* of the price formerly levied by private corporations, and with far greater speed and promptitude.

States; the slight expense which may occur in balancing the exchanges, by the forwarding of actual money, going into the general expense account of this department, just the same as the printing of the notes, etc.

Ultimately, arrangements may also be made with foreign governments to transfer exchanges in this manner, by post or telegraph, through the international clearing-house.

But besides the use government will make of the telegraph for its money and police affairs, it ought to have control over it for the use of its signal-service bureau, which is steadily extending its operations and observations into every nook and corner of the country. Again, it is absolutely necessary that the government should exercise that control for the sake of its military operations in times of war and public disturbances. This is indeed so evident, that it only needs to be stated to be acknowledged.

But there is yet another, and even worse feature of despotism about this telegraph monopoly, that absolutely demands the interference of the government. It is this: Being a vehicle of news, the telegraph has and exercises unchecked control over the press and over the publication of news generally. So far as the news generally is concerned, it permits the controllers of the telegraph to speculate on all the political and commercial news that may affect the prices, — to withhold, change, or even fabricate dispatches that may involve the fortunes of thousands. No company, no set of men, should be intrusted with such wide-reaching power.

So far as the newspapers of the country are concerned, they are absolutely at the mercy of this monopoly. If they murmur against it, up go the rates, which, to the newspaper, is the same as "off with its head." Insubordination is thus punished with instant death. And as, under my proposed system of government, a daily national newspaper is to be published, this is a further reason why the publication and transmission of news should not be left to selfish private corporations.

Sooner or later this monopoly must come to an end, and we might as well grapple with it at once. It is the prerogative and duty of the government to take control of all the telegraph lines in the country, or build new ones, and operate them for the exclusive benefit of the people at large.

CHAPTER III.

PUBLIC ROADS.

The division of our country everywhere into counties, townships, sections, etc., of regular figure, — rare instances excepted, — has itself regulated the laying out of highways and roads. Every road should be kept in constant repair and cleanliness, so that the traffic of commerce along the roads in wagons may suffer as little obstruction as possible from the condition of the soil, and that the health of travellers and residents along the road may not be impaired by clouds of dust or the evaporation of stagnant mud-holes. The double lines of trees along each side of the road will materially contribute to the health and comfort of travellers, and at proper intervals fountains should be put up and places arranged for watering horses and droves of cattle. Every public highway should be put under the constant supervision of road-inspectors, who must have power to remedy any defect occurring in the condition of the roads, from any cause whatever, without the least delay; and the absurd custom of leaving the construction and repairing of roads to the more or less voluntary action of the adjoining landholders must be abolished in every State of the Union. Under this wretched system the adjoining farmers, acting under the influence of that *vis inertiæ* which is the bane of human nature, leave their roads for years in the same miserable condition, and one landlord after another will pass over a rotten bridge, or drive over a deep gully, at the risk of the necks of all who occupy his wagon, and of that wagon itself and the horses that draw it, rather than spend an hour in remedying the nuisance. He will kill off horse after horse rather than spend a little money to make a decent dry road out of one which, throughout the year, has two and three feet of dry or wet mud, for the passage of his heavy grain-wagons. Hence the necessity of such government inspectors. They must have absolute power to engage paid laborers. They must order the making of bridges, durably built, and of a construction to harmonize with the landscape, wherever they shall be necessary, and keep them in constant repair. They must watch and protect the trees along the roads, and be clothed with sufficient police-power to enforce order on the highway. A system of telegraphic communi-

cation must be kept up among these inspectors, so that the passage of any drove of cattle, etc., may be known along the road in time to provide against collisions, and for other contingencies.

CHAPTER IV.

CANALS.

Canals are artificial water-highways, the possibility of the construction of which depends to a great extent upon the natural river-system of the State. Affording far cheaper transportation than railroads, their construction should be encouraged wherever the possibility is offered. Besides, they afford cheaper and speedier transit than the common roads. (In China, nearly all transit is conducted by means of canals; the boats, however, being built with cabins so constructed as to make travel on them a luxury.) They serve, moreover, as natural ventilators in purifying the atmosphere, for water-power, for drainage of surface-water, and, in some measure, to irrigate the adjoining country. Being the absolute creation of the government, — unlike the rivers, — the government necessarily keeps exclusive control of them, and allows no private monopoly to build them. How great a benefit a system of canals is to the people of a State is shown by the Erie Canal, in the State of New York, both directly as a means of transportation, and indirectly as furnishing a marvellous water-power for mills, manufactories, etc., — a power which cannot, in many instances, be replaced by any other. In still greater measure would their benefit appear in the Southern States, where the winter weather would not interfere with their continuous use; though, for that matter, when frozen over, they make an excellent means of transit by means of skates and sleighs, as is shown in Holland. Besides, as the population of our country increases, and the demand for cheap food grows more general, they might be stocked with fish, the cheapest and one of the healthiest articles of diet; a fact which, I am glad to say, has of late years also been recognized in this country, and led to the stocking of many of our rivers with various kinds of fish. In fact, canals serve so many purposes, that one can only wonder they have not been more generally introduced in this country.

CHAPTER V.

RIVERS AND LAKES.

Rivers and lakes constitute natural highways, the right to travel on which must be secured to every citizen. For this purpose it is absolutely necessary that the State should have full control over their navigation, and not leave the travelling public at the mercy of those who make that navigation their special business. No vessel should be allowed, therefore, to enter on this business unless it has been inspected as to its condition and seaworthiness; and such inspection should take place at stated regular periods. Special rules will have to be drawn up for all steam-vessels, so as to secure safety and health to the passengers; the proper ventilation of all berths being an object especially to be looked to. For this purpose every vessel carrying passengers should register the number of passengers to which it is to be limited, and the inspectors will have to see that this rule is not infringed upon. Vessels for the cattle-trade must have special arrangements made for the health and cleanliness of the animals.

Wherever any navigable river offers obstructions to navigation, it is the duty of the State to remove them, if at all practicable. The old notions of the State holding aloof from internal improvements originated mainly from the great extent of our country, then so thinly populated, which made the vast expenses of such improvements seem too burdensome. Thus, what was merely inexpedient for the time being, was formulated into a wrong principle; and now that the inexpediency has ceased, the error in the principle has also been laid bare. It is a disgrace to human reason that such vast arteries of commerce as the Mississippi and Missouri should continue to obstruct communication and endanger the safety of navigation, when a judicious system of improvements would place that whole body of water under rational control, and make it an obedient servant, instead of being, as now, an unruly one: full of snags, sawyers, sand-reefs, and other destructive impediments. The same holds good concerning all navigable rivers and lakes, harbors, gulfs, bays, seas, and oceans, whereof surveys should designate all reefs, rocks, and other dangers to navigation.

It is by virtue of making these improvements, and of its obligation to secure to each citizen full protection against the oppressive tyranny

of monopolies, that the State exercises the power of regulating commerce and traffic upon rivers and lakes, not only by inspection of, and rules concerning the construction of their vessels, etc., but also by establishing such laws as shall prevent the levying of oppressive taxation, in the shape of extravagant rates of freight and passage. For the same tendency to monopoly, and the establishment of powerful and unscrupulous corporations, which has directed the present organization of our railroad system has manifested, and must necessarily continue to manifest itself in our system of river and lake navigation. Large, wealthy corporations are organized to build lines of steamers between certain points, and by buying up any threatened competing line that may be proposed, virtually control the whole commerce between those points, levying whatever tax they please upon commerce and the travelling public.

These rivers and lakes being natural highways, the State cannot assume exclusive control of the traffic and travel upon them. But the State is bound to protect its citizens against the oppressive despotism of monopolies, and gains further authority to exercise this protection by undertaking the improvement of these rivers and lakes.

* * * * * * *

It is true, that since the publication of the first edition of this work something has been done by the general government towards such improvements of our rivers and lakes, but not near enough; and in one instance at least, on an utterly wrong basis. The rapids at Keokuk and the Upper Mississippi have been partially removed; dredge-boats have been built for clearing the Missouri, Mississippi, and other rivers of snags; and a regular commission — working, however, on an absurdly small appropriation — has been finally established to carry on these improvements permanently.

But the most important river improvement as yet made is undoubtedly the magnificent establishment of the jetty system at the mouth of the Mississippi, by Capt. James B. Eads, which has been crowned with remarkable success.

For many years the great importance of the Mississippi River to the inhabitants of the Mississippi Valley, as affording them a direct water-communication with the Atlantic coast and foreign countries, has sunk into insignificance by reason of the mud deposits made at the mouth of its entrance into the Gulf of Mexico; so that New Orleans had almost ceased to be a shipping port for large sea-going

vessels, and had become altogether inaccessible as a port of immigration for vessels from Europe.

When Capt. D. B. Hill, some forty years ago, proposed the general improvement of the river and its mouth, his contemporaries ridiculed the idea; and when Capt. Eads, some five years ago, suggested the removal of the mud deposits at the mouth, upon the principle of the jetty system, as for a long time successfully operated at the mouths of the Danube, the gates to the Black Sea, and when he asked governmental support for his enterprise, there arose a wild outcry — especially in the East — against the project, as involving the government in an unconstitutional measure, adverse to the spirit of our institutions.

In former times, when the Democratic party and the Whig party were fighting each other on this very subject of internal improvements, this outcry would not have been ineffective. But the doctrines advanced in "Liberty and Law" had already made themselves felt, to such an extent, that Congress was in a manner compelled by public opinion to lend government aid to the novel enterprise; and as a consequence we have now direct water-communication between the vast system of the river valleys of the West through Eads's gates to the Gulf, and thence to the whole Atlantic coast of the United States, and to all foreign countries.

But that which I condemn in the action of Congress in this matter is: that Congress did not take hold of the jetty project itself, but intrusted it to an individual, or rather to a corporation, allowing that individual or corporation to bear the responsibility of the execution as well as to reap its profits. It was the same stupid blunder, or corrupt villainy, by which our lands and franchises had been squandered on scheming railroad-incorporators and thievish members of the Credit Mobilier ring. It is for the government itself to carry out such enterprises, on the coöperative principles of a federative republic, for the benefit of the people, to secure a just equality of rights.

Besides, that jetty system at the mouth of the Mississippi is of comparatively little moment, so long as the whole of that river as well as the Missouri, — and, in a secondary order, the Ohio, Yellowstone, Platte, Osage, Illinois, White, Cumberland, Arkansas, and Red Rivers, — from the highest point of navigation down to the jetties, have not been cleared of obstructions to navigation, so far as the highest skill of engineering can improve them. But this can thoroughly be done only by the national government, and it is a manifest absurd-

ity to allow an individual or a private corporation to virtually control this whole river-improvement system, and reap most of the benefits to be derived from its execution, — besides subsidizing it, — by operating the jetties at the entrance of all those rivers through the Mississippi into the ocean.

All that has here been said of navigable rivers holds good also, of course, in regard to navigable lakes.

CHAPTER VI.

RAILROADS.

That upon which the life of man hangs as on a thread is time. All that he can secure of it for his own use and enjoyment is in that proportion his own individual and free life. Hence that proportion is his real wealth, and no common-sounding saying is more strictly, philosophically true than the adage that time is money. Time is the only money, the only really enjoyable money and wealth, and that which we commonly call money and wealth is only the representative of so much enjoyable time. To secure it to the majority of men in greater proportions than was possible in the past, the invention of man has been at all times busy to gain more time by substituting machinery for labor, and for the quicker transportation of persons and property from one part of the world to another. The railway system of communication between one part of the country and all others has thus grown to be of transcendent importance to the welfare of the human race, and the harmonious and fit development of all the faculties of the minds and bodies of the people.

The moneyed powers and monopolies, almost immediately after the discovery of this system of public intercommunication, perceived the enormous advantages it would extend to any body of men applying it in a well-populated State, and accordingly prepared to possess themselves of it; the State looking passively on, or if active at all in the matter, applying its activity in the very worst manner, — that is, by extending aid gratuitously, in the way of money, credit, lands, etc., to these monopolies, in addition to the enormous privileges conferred upon them by their governmental charters granted by the States.

The reason why the privileges of these railway monopolies are so enormous is this: that of the three elements which enter into the realization of wealth from its source, the soil, — which are: first, production from the soil; second, manufacture of the productions for consumption; and, third, transportation of the manufactured productions to the consumers, — the element of transportation has a double ratio: first, transportation from the producer to the manufacturer; and, second, from the manufacturer to the consumer. In addition to this double privilege, which enables transportation to make profits on both trips, the same agency which transports freight can, in the case of railways, be made serviceable to transport passengers.

In this way it has become possible, that of the enormous annual revenue of the railroads in our country, which is now estimated at over $400,000,000, about seventy per cent is used for the expense of operating those roads, leaving a profit of about thirty per cent, or the enormous sum of $120,000,000 per annum on the invested capital. The despotic and corruptive power derived from such vast sums of money-income is surely large enough to require all the checks and regulations that legislation can invent, if, indeed, it should not be altogether taken away from private corporations and placed under the immediate control of the State. It was the despotic laying on of taxes by the kings and nobles of France, sucking the life-blood out of the people by their waste, extravagance, and wars, which brought on that terrific revolution we still shudder to read about; and the people of our own country cannot long consent to leave this kind of power in the hands of a few monopolies, exercising it in charging undue rates on freight and passage, and furnishing insufficient accommodation, and accompanied as it is with vexatious delays, and often great injuries to persons and property.

This oppression weighs all the more heavily when it is considered, that most of these railroads were built with the money of others than the men who now levy those taxes of freight and passage upon the people; nay, to a great extent, with the money of the State itself. Companies have been organized with a large stock-account, which never was paid up, while roads were being built by these companies altogether upon a system of mortgages. In other words, a company of men organized under the laws of the State to do a certain thing, without subscribing a dollar to do it, and then, by trumpeting forth

their enterprise to the world, fell to mortgaging it in proportion as the money raised by these mortgages paid for the building of the road. If the first mortgage did not suffice to build the road, as it seldom did, second and third mortgages were issued, or construction-bonds and equipment-bonds. If sufficient mortgages could not be sold to the people in a private way, the State was called upon to make the first loans, — which have seldom, in that case, been repaid, — or perhaps even to donate immense tracts of land; while every town and county along the line of the road was solicited to make additional loans, secured by stock in the railroad company, which became valueless when the mortgages were forfeited and foreclosed.

Thus the sixteen hundred and thirty-seven miles of the two Pacific Railroads were built with a government subsidy of $30,000 a mile, a mortgage indebtedness of $30,000 a mile, ever so many State, county, and city loans, and a great land-grant of twelve thousand eight hundred acres per mile along the line of the roads; and yet these roads are owned and controlled by the shareholders of the $200,000,000 of stock that have been issued besides those mortgages, but were never paid up, and were distributed, in the main, on the Credit Mobilier system.

It is these shareholders — who never built the road, who simply took other people's money, and making enormous profits out of the construction of the road, helped themselves, moreover, to as much so-called stock as they pleased — that levy annually, through the various railroads of the country, an enormous tax of hundreds of millions of dollars on the traffic of those roads, besides continuing to enjoy the income of these vast grants of land that have made — to mention only one instance — the Northern Pacific Railroad the possessor of nearly fifty million acres of land; five hundred and fifty times more than belong to the Duke of Buccleuch, the greatest land-owner in Great Britain.

Furthermore, these shareholders are in most instances not those who projected the original enterprise. The original shares, having been made marketable by their possessors, became immediately a common article of barter, — owned to-day by this and to-morrow by that clique of selfish speculators. The temporary owners of the majority of the shares have no permanent interest in the road itself, and their only temporary interest is to make as much as possible out of speculation in the shares.

This leads, of course, to general neglect of the road, resulting in danger to the passengers, and causing those frightful railroad-disasters, that have been and continue to be the disgrace of our country, suggesting and rendering necessary the establishment of those accident-insurance companies, wherein every traveller on a railroad nowadays deems it his duty to invest for the benefit of his heirs before entering a car. It furthermore is productive of raising the rates of freight and passage far beyond the requirements of a fair percentage of profit on the actual original cost of the road.

It is a matter of course, that every enterprise should, after the payment of all operating expenses, throw off a surplus sufficient to pay a fair interest on the capital invested, besides a legitimate percentage for the risk run in investing it. But the managers of the railroad enterprises discovered, soon after their first opening, that, being in a position to dictate their own terms to the public, they could make far greater profits than were required by a fair remuneration for capital and risks. They declared dividends so large, that they astonished the community, who had to pay these dividends in the way of freight and passage rates.

Naturally, the law-givers set about to reduce these extortions, and in a manner thereby to regulate freight and passage rates, by passing laws forbidding the monopolies to declare larger dividends than would constitute a very liberal remuneration, — say ten per cent. But the monopolies were more cunning than the law-givers, and the next time their coffers were overrunning from an excess over the ten per cent, took the overrun surplus and divided it among their shareholders in the shape of an addition to the capital stock.

Thus was inaugurated that famous system of stock-watering, which has been of late carried to such great perfection in our country; and on every dollar of such watered stock the public must continue to pay additional taxes in the shape of freight and passage rates. It appears by this, immediately, what extraordinarily despotic power these monopolies possess, and how utterly they disregard, by cunning manœuvres, legislative enactments, — though even these they have now grown bold enough to disregard, supremely controlling them by purchasing the law-makers beforehand. The Erie Railroad alone boasted, in the time of the Fisk-Gould rule, of spending $1,000,000 per annum in four different States for the purpose of buying the votes of men who would protect its road in the legislature against offensive enact-

ments, and of being able to control at any time twenty-five thousand votes. And yet the Erie controlled only seven hundred and seventy miles of railway.

To what extent this "stock-watering" has been carried, and consequently to what extent taxes are daily levied upon every passenger and shipper on the railroad, may be gathered from the following figures: —

The Erie Railroad in 1862 had a total capital of bonds and debt amounting to $40,285,365. It increased it, within about ten years, to about $70,000,000.

The New York Central and Hudson River Railroads in 1862 had a total capital of $67,575,039. It was increased to $104,661,216 within less than ten years.

The Pennsylvania Central Railroad in 1862 had a total capital of $13,724,100. It has been increased to over $40,000,000 within a decade.

These are only three roads, but they represent the three greatest enterprises that control the railway commerce of our country. In the case of the Pennsylvania Central, the control extends over more than seven hundred miles of railway; in the case of the Erie Railroad, over seven hundred and seventy-three miles of railway; and in the case of the New York Central, — combined as it is now under one management with the Hudson River and Harlem Railways, and, with control of the Lake Shore Road, uniting the great commercial metropolis of the North-West, Chicago, with the commercial metropolis of the country, New York, — over some two thousand one hundred and fifty miles of railroad, with an aggregate capital of $215,000,000, and an annual income of $45,000,000. Let it be remembered that this enormous power is now virtually wielded by one man: the same man, moreover, who has already control of the whole telegraph system of the United States, the Western Union, with a capital of some $43,000,000, and an annual income of probably about $3,000,000, and with an unlimited control of sixty-odd thousand miles of telegraphic communication. This one man has, therefore, absolute control over all telegraphic communication between the citizens of the United States and the most important part of their commercial railway communication. He can raise the prices of that communication — that is to say, can levy taxes upon the people who must make use of his railroad and his telegraph — to

what extent he chooses; there is no redress at hand. If the legislature attempts to fix the minimum fare on his roads, he can arrange his trains for passengers so that there shall be only one car, or perhaps two cars, on each train, ill-constructed, filthy, badly ventilated, and generally uncomfortable, to such a degree, that all the passengers feel compelled to enter the drawing-room cars that are attached to the same train, though they have to pay nearly fifty per cent additional to the legal fare. This same gentleman has now bought up the Union Pacific Railroad, and thereby extended his power over some sixteen hundred miles more of road. Necessarily the same system will follow, — the same stock-watering, and the same increase in the rates. The passengers and shippers of the New York Central Railroad, that in 1862 had to pay rates to meet the requirements of dividends on a capital of only $15,000,000, had ten years later to pay rates to meet the requirements of dividends on a capital of $104,661,216; that is to say, the rates which they are made to pay ought to be only one-half of what they are.

No government would dare to oppress the people in the manner that this one monopoly does. The end is inevitable. Every railroad in the land must be appropriated by and put under the control of the government. The farmers of the West have already spoken with unmistakable tones in three State elections; it will not be long before the whole nation will take up the same cry.

It was once thought that competition would reduce the extortions of the railroad monopolies to a just rate, and that thus prices would regulate themselves, as from sheer inborn inertness men like to imagine. But, far from being so regulated, it soon became apparent that the railroad monopolies were governed by cunning and selfish men, wise enough to take advantage of the indifference and inertness of their fellow-citizens. This they achieved by simply *combining*, or "pooling," — to use the slang phrase, — the competing lines.

The origin and development of this "pooling" scheme is somewhat singular, and may deserve or require a short notice.

In the year 1857, Albert Fink, a German engineer of great ability, entered the service of the Louisville and Nashville Railroad, having previously been seven years in the employ of the Baltimore and Ohio Railroad, under the celebrated engineer, Benjamin H. Latrobe, the first engineer who made use of iron in the construction of bridges. Fink remained with the Louisville and Nashville Railroad from 1857

to 1875, rebuilding the bridges of the road as soon as they were destroyed by the armies of the civil war, and so distinguishing himself, both as engineer and practical railroad-man, that as early as 1865 he was appointed chief manager and superintendent of the road.

As, in the course of time, money matters became more stringent, and economy, therefore, more necessary, even in railroad affairs, Fink bethought himself, that the main source of the ebb in the revenues of the railroads must lie in the competitive system, which forced the railroads to lower their rates to ruinous prices. The remedy lay close at hand. If, instead of competing, he could bring railroads to "pooling," the whole difficulty was solved, — at any rate, so far as the railroad corporations were concerned. The people might suffer from an increase of charges, but the railroads would greatly increase their profits. With this object in view he organized the "Southern Railroad and Steamboat Association," the first great "pool" established in the United States.

Tired of a life of incessant labor, he, in 1877, was about to take a pleasure excursion to his old home in Germany, when in New York he was met by Mr. Vanderbilt, of the New York Central; Mr. Jewett, of the Erie; Mr. Thomas Scott, of the Pennsylvania Central; and Mr. Garrett, of the Baltimore and Ohio, all of whom urged him to organize for their (Eastern) roads, as he had so successfully organized for the Southern roads. The result was the railway syndicate, that now has virtually taken from the people of the United States the right to regulate commerce between the several States.

Of course, it was an expensive measure for the established lines, but better than ruin, — more especially as the *people* had to pay the expense by increased rates. If any new competing road was planned and undertaken, how quickly the road thereby endangered would buy it up, levying the payment of the purchase-money upon the travelling and commercial public! That it is still worse for the public if the State itself undertakes to establish this competition, the railroad history of Massachusetts demonstrates in the most vivid manner in the cases of the Boston, Hartford, and Erie Railroad, and of the Hoosac Tunnel. The State cannot compete with monopolies grown so powerful as the railroads; it must extinguish them, by compelling their transfer to the State. Self-preservation demands it, and justice will sanction it; for nearly all of the great roads have been built by the

lands and moneys furnished by the State or the people, and public policy requires that the government should control and direct their operations.

Indeed, the extravagant land-grants extended to many of these railroad monopolies furnish a sufficient reason for the control of those roads by the government, and the necessity for it is continually increasing. To realize this fully, it should be known, that of the one thousand eight hundred and thirty-five million acres of land constituting the United States and Territories, nearly one-fourth is owned by railroad monopolies, — an extent of territory larger than France, Spain, Italy, and Great Britain together, — while the general reservation for schools to educate ten million scholars was only one-thirty-sixth part of the public lands. All these lands have been given away to build railroads, that by building at double cost, — making the average mile cost from $60,000 to $80,000, instead of from $30,000 to $50,000 per mile, which is the fair legitimate price, — levy for all future time upon the traffic of the roads taxes to pay the interest on the additional $30,000 per mile, and interest besides on the hundreds of millions of dollars of stock that have been issued as a further fraud. That is to say, the men who proposed to build the road in a fair way, which would have averaged a cost of about $30,000 to $50,000 a mile, organized themselves into another company, — Credit Mobilier, or Construction Company, or whatever the chosen name might be, — and now built the road at an exorbitant rate of, say, $60,000 to $80,000 per mile, dividing the immense profit of this construction-account among themselves and their friends, besides dividing in a similar manner the fictitious stock which they had caused to be issued.

By those land-grants the lands belonging to the people of the United States have been given away in such vast proportions, that one of the largest beneficiaries, the Northern Pacific Railroad, in its circular put forth to induce European capitalists to advance money for the construction of the road, had the boldness therein to state: "These lands," — the forty-seven million three hundred and sixty thousand acres of the Northern Pacific land-grant, — "when the road shall be built and the business fairly started, excluding town and station sites, would certainly average $10 per acre, making the sum of $473,600,000. Supposing the construction of the road should cost $60,000 per mile, the entire cost at this rate would be $120,000,000, leaving to the

shareholders an excess of clear profit from the lands alone of $353,600,000."

That is to say, the Congress of the United States had given to this one corporation $353,600,000 of estimated profit for building a road which that corporation did not advance a single dollar to build, borrowing all the money required, in advance, on the lands thus stolen from the people. That corporation took no risk, a guaranteed profit by its own confession of $353,600,000, the vast profits made in building the road at an estimated cost of $60,000 per mile, when it ought to be about $30,000, and now holds its immense power in perpetual danger to, and oppression of the people. That the people are the equitable owners of the road, having paid for it in full, and $353,600,000 profit to the corporation besides, is clear; and yet they have no share in the ownership, and are charged exorbitant rates of freight and passage, — that is to say, are taxed to whatever enormous amount the payment of interest on the mortgages, of dividends on unpaid stock, and of other fraudulent Credit Mobilier charges, shall render it advisable and profitable to the company to make.

Thus Congress has given away about one-fourth of its public lands to two gigantic corporations, composed of perhaps one hundred stockholders, conferring upon them rights and privileges the richest dukes and princes of Europe might be proud of; and yet it has assigned but one-thirty-sixth part of those lands to the ten million children who now demand education, and whose number will soon reach twenty or forty millions of souls. Can any one doubt, in view of these facts, that the most vital interests of the people have been betrayed by Congress for the aggrandizement of the railroad kings, whose patents of sovereignty are contained in those acts of our Congressional Parliament granting the vast domains of the people to monopolizing despotisms, whose powers for illegal taxation will produce extortions that have been rivalled only in the Roman provinces in the most corrupt days of the Roman Republic?

Another danger resulting from this insane alienation of the people's rich domains is this: The population of the United States is now somewhat over forty millions, some twelve millions of which are agriculturists. There are left to the United States, of its one billion eight hundred and thirty-four million nine hundred and ninety-eight thousand four hundred acres, — some three hundred and seventy million of which are in Alaska, — only in the neighborhood of eight

hundred million acres of land for our future agricultural population, which is weekly increasing, especially by immigration from Europe, that just now is assuming more colossal proportions than it ever had before. When will this be exhausted? Estimating every one hundred and sixty acres as capable of supporting five persons, the eight hundred million acres will be absorbed when our agricultural population shall have been increased from twelve to sixty millions; that is to say, when our whole population shall have risen to about one hundred and twenty millions, which is certainly no very remote future, being likely to occur, according to calculations based on the progress of the past, before half a century. This matter gains all the more importance from the fact that the productiveness of our lands is decreasing to such an extent as to make — what seems now an impossibility — seasons of famine in the United States quite likely to occur by that time, unless, indeed, our agriculturists engage the aid of science in their behalf, and by the establishment of such agricultural schools as I have proposed, learn to make the soil yield artificially the same as it yielded when it was first opened by man.

It is only by experience that the danger from monopolies shows itself. In the infancy of the railroad system in the United States no trouble was apprehended from it, but now that the system has grown to extend from two thousand miles in 1840 to about sixty-seven thousand one hundred and four miles in 1873, — as great a length for our forty millions of people as Europe has for her three hundred millions, — and when thirty-five thousand miles more are now in course of construction, the danger has grown so imminent that it were suicide on the part of our republic to tolerate its uncontrolled domination any longer.

This growth is very fully shown by the following tables: —

Comparative Statistics of American Railways — 1871–1878.

Year.	Miles Operated.	Capital and Funded Debt.	Earnings.				Dividends Paid.
			Gross.	Net.	From Freight.	From Passengers.	
1871 . .	44,614	$2,664,627,645	$403,329,208	$141,746,404	$294,430,322	$108,898,886	$56,456,681
1872 . .	57,523	3,159,423,057	465,241,055	165,754,373	340,931,785	132,309,270	64,418,157
1873 . .	66,237	3,784,543,034	526,419,935	183,810,562	389,035,508	137,384,427	67,120,709
1874 . .	69,273	4,221,763,594	520,466,016	189,570,958	379,466,935	140,999,081	67,042,942
1875 . .	71,759	4,415,631,630	503,065,505	185,506,438	363,960,234	139,105,271	74,294,208
1876 . .	73,508	4,468,591,935	497,257,959	186,452,752	361,137,376	136,120,583	68,039,668
1877 . .	74,112	4,568,597,248	472,909,272	170,976,697	342,859,222	130,050,050	58,566,312
1878 . .	78,960	4,589,948,793	490,103,351	187,575,167	365,466,061	124,637,290	53,629,368

Statement showing the Number of Miles of Railroad Constructed each Year in the United States, from 1830 to the close of 1878.

[From Poor's Railroad Manual for 1879.]

Year.	Miles in Operation.	Annual Increase of Mileage.	Year.	Miles in Operation.	Annual Increase of Mileage.
1830	23	.....	1855	18,374	1,654
1831	95	72	1856	22,016	3,647
1832	229	134	1857	24,503	2,647
1833	380	151	1858	26,968	2,465
1834	633	253	1859	28,789	1,821
1835	1,098	465	1860	30,635	1,846
1836	1,273	175	1861	31,286	651
1837	1,497	224	1862	32,120	834
1838	1,913	416	1863	33,170	1,050
1839	2,302	389	1864	33,908	738
1840	2,818	516	1865	35,085	1,177
1841	3,536	717	1866	36,801	1,716
1842	4,026	491	1867	39,250	2,449
1843	4,185	159	1868	42,229	2,979
1844	4,377	192	1869	46,844	4,615
1845	4,633	256	1870	52,914	6,070
1846	4,930	297	1871	60,522	7,608
1847	5,598	668	1872	66,242	5,720
1848	5,996	398	1873	70,311	4,069
1849	7,365	1,369	1874	72,616	2,305
1850	9,021	1,656	1875	74,374	1,758
1851	10,982	1,961	1876	77,031	2,657
1852	12,908	1,926	1877	79,208	2,177
1853	15,360	2,452	1878	81,841	2,694
1854	16,720	1,360			

Mileage, Capital, Cost, and Revenue of the Railroads of the United States for 1878.

Cost of railroads and equipments	$4,166,331,921
Gross earnings	490,103,351
Working expenses	302,528,184
Net earnings	187,575,167
Interest paid on bonds	103,160,512
Dividends paid on stock	53,629,368

In Belgium the government has already secured itself against this danger by obtaining control of all the railroads in the country. In France this policy has also been followed, though only in a partial way. In Germany and England the proposition to have the government obtain control of all the railroads is growing daily into more favor. In our own country, — which is threatened so much more by these monopolies than the kingdoms and empires of Europe, owing to the immensely more extensive development of our railway system, — the farmers and shippers of the West are just beginning to rise in oppo-

sition to an intolerable tyranny; and yet so extensive is the power of these railroad monopolies, that scarcely any of the leading newspapers of the country — generally so apt to espouse a popular cause — have dared to lend their support to this most important and significant movement.

For all these reasons, as well because it is the duty of the government to control all public highways, and afford to each citizen the speediest access to all others, as because the government can build roads cheaper than any private company, having larger credit and greater means, and can operate them more economically, as is shown by the United States management of the post-office, I propose that the government should take control of the railway system of the whole country and manage it for the benefit of the whole people, as has been done in Belgium with such marked success. The time has gone by for keeping the limits of government within the sphere of merely protecting the liberties of the people against direct violence; for indirect fraud and extortions have assumed proportions that threaten to swallow up all liberties. When corporations can grow so powerful that they may with impunity — as the Erie Road does, and as the New York Central and almost all others railroads do, though in a less open way — plunder and oppress the unprotected public, bribe the law-makers of the State, make war upon each other, absorb permanently, by greater salaries than the State will afford to pay, the most eminent legal talent, and by their indirect influence as well as by direct corruption gain over the power of the courts, no government that values its existence can look on with indifference. Neither the Erie clique alone nor the Tammany clique alone could have perpetrated their huge frauds successfully; it was the combination of both, supported, moreover, by all the other great monopolies and corporations that depended equally upon a rule of fraud and violence, which made possible the disgraceful scenes of our times.

To tamper with these railroad companies by reorganizing them as legally existing monopolies, and regulating their charges, mode of doing business, etc., — in short, to make a special contract with each company, — may allay some of the worst features of our present system; but it is no radical cure, and, moreover, nourishes other evils, — such as bribery of the legislative bodies. Special legislation is always a danger, and, besides, is calculated to deceive the public, by a *quasi*-legislative indorsement of the enterprises it charters.

What we need is, that the State should assume possession and control of all the railroads, and run them at the lowest possible rate compatible with a fair interest and dividend, in the interest of the people alone, and pay the present owners a just compensation. All that has been said of the steam-railways in this chapter applies equally to the horse-railways, etc., that afford communication to the inhabitants of large cities. They should all be under the direct control of the respective municipal corporations.

This change in the administration of the railways should be accompanied by a radical change in their management. Every steam-railway should have a double track, and the most complete system of signals, etc., that human ingenuity can devise, to prevent collisions. No car should be heated in any other way than by hot-water pipes, nor lighted with combustible oils; and a complete system of ventilation should be arranged for every passenger-car, and for all cars used for the transportation of animals. Every car should be arranged for a fixed number of passengers, and no overcrowding should be allowed. The cars for the transportation of animals should also be limited to a definite number of the various classes of animals, and be so constructed as to allow them a sufficiency of air, water and food. At the same time, the road-beds should be so made, and the machinery of the locomotives, as well as the construction of the cars, so devised, under the guidance of science, as to insure the speediest as well as safest transmission of persons and property.

But there is still another reason why the whole railroad system of the country should be put under governmental control. By the crash of 1873, the Northern Pacific, the Texas Pacific, and a large number of minor railroads have been thrown into bankruptcy, and by their failure have brought ruin upon all the parties concerned, and dragged thousands of business houses more or less connected with them into bankruptcy. The railroads to which the people of the United States had advanced hundreds of millions of dollars in the shape of guaranteed bonds, or donated in the shape of land-grants, became thus insolvent simply through the mismanagement, recklessness, and corruption of their officers, who had no other intention, indeed, when they began the construction of those roads, than to rob the people of the United States of their public lands and moneys, regardless of future results.

Some of those roads now lie unfinished; hundreds of thousands of

laborers have been turned out of employment; iron, steel, woollen, cotton, silk, and other factories have been closed; banks have suspended, and countless families have been reduced to poverty by the general bankruptcy. Would not this whole calamity have been averted, and the lands and moneys squandered away upon the railroad companies saved to the people of the United States, if the government had conducted those enterprises itself, and directed their management? When the Northern Pacific Railroad received from Congress its grant of forty-seven million three hundred and sixty thousand acres of land, it estimated, and not unreasonably, the value of that land after the completion of the road at $473,000,000, and the entire cost of the construction of the road at only $120,000,000. It is impossible to believe that the government of the United States could not have carried out an enterprise established on so sure a footing, not only without any loss to the people, but to their great and permanent benefit. Just take, apart from all other facts, the following facts in regard to the California Central Pacific, — the most monstrous monopoly of all railroad monopolies in the United States. I quote from a letter written by Col. Broadhead, who, during his stay on the Pacific coast, summer before last, has made the affairs of this company a special study. He says: —

"It has been but a short time since the passenger fare from Los Angeles to Oakland was $28, to San Francisco $20; thus compelling every passenger to cross the ferry twice (which is owned by the company), or pay $8 more if he wished to stop at Oakland. The present rate per ton on hay from Los Angeles to Fort Yuma is $27.50, to San Francisco $6 per ton, although the distance to San Francisco is more than one hundred miles further. I know personally that the same fare is charged from Colton to Lathrop as from Colton to San Francisco, although the distance to San Francisco is nearly one hundred miles further; all on the same line, and where there is no competition, as there is none between any of the points to which I have referred. The power of this corporation on the Pacific coast is such, that public men and public journals are afraid to speak out in opposition to its exactions.

"But this power is not confined to the Pacific coast. It, together with the Union Pacific, controls the only avenue of trade across the continent. If a man in St. Louis wishes to ship goods to any point in Nevada, say in the neighborhood of Palisades or Winnemucca Station,

on the Central Pacific Railway, he is compelled not only to pay his freight, but to have his goods carried to San Francisco, three hundred miles further, and then returned to the point of destination, and to pay the return-freight also before he can have his goods delivered. This seems monstrous and incredible, but it is true. The passenger fare to Omaha is $100, but the two companies charge the same fare — $100, and not a dollar less — from San Francisco to Cheyenne, about four hundred miles nearer to San Francisco; so that if a passenger wishes to go to St. Louis by way of Denver, the distance being about the same as by way of Omaha, he has to pay $156, whereas the whole fare by way of Omaha is only $116. This is to keep travel off of the Kansas Pacific, and to compel travellers to go by way of the Union Pacific. And yet these roads were built by the money of the people of the United States."

Then, this also should be considered: that railways and telegraphs are important agencies in carrying on war. They are a part of the sinews of war. No people prizing their liberty can afford to surrender their railways, canals, telegraphs, or postal offices and lines to private monopolies or corporations. Government might as well grant the taxing-power to private corporations as the public highways; for the railroad magnates levy any tax they please upon the traffic and travel on their roads. The people own the government and may control it, but they have no interests in such corporations, which are simply despotisms.

But then the argument is urged, that those roads were a national necessity, and advanced in the interests of the whole American people. To this I reply, that in such a case the American people should have built and owned the roads themselves, and thus saved the lands and subsidies, which after all have merely gone towards enriching the directors and Credit Mobiliers of those corporations. But those roads were not unprofitable ventures, and need never have been if they had from the beginning been built and run by the United States government.

Besides, let us consider this: If you or I want to start a grocery-store or build a foundry, do we go to the Congress, or the State legislature, or County Courts, to beg for the land on which to erect our buildings, or ask subsidies to pay for their erection? And if we did, would our alms-prayer be listened to for a minute? Why, nothing but derisive laughter would greet our petition. On what ground,

then, should a set of men, forming themselves into a company, have the assurance to ask alms from the public treasuries? If the two Pacific Railroads could not be built by the men who organized the companies that proposed to build them, on a paying basis, why should they ask Congress not only to give them public lands for building their railroads, but also to give them exclusive and absolute control of them, and then levy extortionate prices and outrageous charges, not only upon the citizens for freight and passage, but even upon the government itself for mail and military service, whereby the people and the government are made to pay illegal taxes to a rapacious corporation for the use of their own property.

But whenever this proposition of governmental control of our railroads is broached, the cry is raised, that official corruption would thereby be still further increased. This fear of the growth of corruption in the public departments of the government is, in truth, the main ground of the strong opposition made against every proposed extension of the powers of government over affairs that involve large money transactions. Now, I shall certainly not attempt to deny the existence of widespread corruption in the various departments of our government, nor will I urge in its mitigation, that this corruption is a natural result of our imperfect departmental and criminal codes, and one of the worst legacies left us by the late civil war. But I do say that, in spite of this corruption, the government of the United States carries on the operations of its various departments cheaper than they could be carried on by private corporations, and that all well-conducted governments have made the same experience. Has not the legal-tender issue shown the national government to be the safest as well as the most economical banker? If, then, the national government can conduct all these gigantic operations of public intercommunication so much cheaper than private corporations, why should not the same rule hold good in regard to railway enterprises? I confess that I cannot see a single reason; and even the only objection which has been advanced — that it would place so much appointing power in the hands of our general government, if all our railroads were to be placed under direct national control — loses its weight, when it is remembered that railroad officials must be expert in their special branches of business, and can no more be appointed and kept in office for political considerations than the officials of the signal-service or of the coast-survey bureaus. Besides, as has been shown

in the First Part of this work, I propose to divide the appointing power amongst several distinct departments.

But even if there were some danger in establishing such a new department of the general government, it surely could be no greater than that with which the people are threatened by the concentration of the railroad interests of the country in the hands of such gigantic monopolies as we behold now. The people of the United States, under the proposed system of laws, will be able to control the whole administration of public affairs in all departments, including the railway, highways, and telegraphic intercommunication. As these are now arranged, the whole power is in the hands of despotic monopolies.

The four great roads, that control the greater part of our internal commerce, — the New York Central Road, the Erie Road (with its extension to the Pacific Ocean), the Pennsylvania Central Road, and the Baltimore and Ohio Road, — with their connections, are at present banded together to charge rates fixed by a joint committee, to which the public are forced to submit, or forego those privileges of railroad intercommunication without which modern civilization is next to impossible. But the effects of such a combination are far more wide-reaching than would appear from a mere consideration of their local power. Its power over the agricultural interests of the country is strong enough to excite the gravest apprehensions. Some eight million tons of agricultural products are now sent every year by the Western States to the seaports of the East, and only two million tons of them can be carried by the Erie Canal. Over six million tons of grain must, therefore, be annually moved over the railroads of that combination, or pool, which thus artificially has the power of fixing the price of all the agricultural products of the West.

Other countries have been forced to acknowledge the necessity of such a governmental control over railroads, and why should the eyes of our people alone be shut to it, especially as our peculiar political institutions invest them with so much more danger to us? Even the German Empire, which for a long time hesitated to meet this question of railroad supervision by governmental authority, has at last been forced to prepare for its establishment. A commission appointed to report on the subject a few years ago, while admitting the difficulties that would arise in placing all the railroads of a country so extensive as Germany under the control of the government, was

nevertheless forced to confess that it was necessary for the safety and freedom of transit: —

"At the same time, the commission has never been able to escape the conviction that the railroad business, considering the extension it has received in these days and what is to be expected from it in the future, must ultimately lead to the possession of all railroads by the State. *Railroads are public modes of transportation, and are, therefore, in the nature of public highways.*[1] It is only by shrewd aggressions, in various ways, that the construction and running of railroads have been taken out of the hands of the State and allowed to be controlled by despotic private corporations, that now usurp the functions of government. Nevertheless, this state of things cannot continue, * * * and hence the commission considers it desirable that the State government should always keep in mind the possibility of obtaining this control, and take such steps as will facilitate its realization."

If this holds true in regard to the German Empire, it is certainly far more applicable to our own republic. Hitherto the most effective bulwarks of our free institutions have been our State and Federal judiciaries, and now the power of our railroad companies has assumed such gigantic proportions that they publicly boast of their power to buy up the courts; and even the United States Supreme Court, hitherto considered irreproachable, has not been able to escape this general suspicion.

In the celebrated case of Murdoch & Clark *v.* Governor Woodson and Attorney-General Ewing, which was decided by a majority of the court in favor of the railroads, Justices Miller and Davis, in their dissenting opinion, found themselves forced to say: —

"But of what avail are constitutional restrictions of legislative power, or legislative restrictions of municipal power, if they are disregarded by the legislatures and municipalities.

"It may be said, that there remains to the people the protection of the courts. But language is at best a very imperfect instrument in the expression of thought, and the fundamental principles of government found in constitutions must necessarily be declared in terms very general, because they must be very comprehensive.

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[1] This, it will be observed, is the same point taken by our United States Supreme Court, which I took note of in this book. See below.

"The ingenuity of casuists and linguists, the nice criticism of able counsel, the zeal which springs from a large pecuniary interest, and the appeal of injured parties against the bad faith of the legislatures who violate the Constitution are easily invoked, and their influence persuasive with the courts, as they always must be.

"And if language as plain as that we have been considering, a purpose so firmly held and clearly expressed, is to be frittered away by construction, then courts themselves become but feeble barriers to legislative will and legislative corruption, and the interest of the people, which alone is to suffer, has but little to hope from the safeguards of written constitutions.

"These instruments themselves, supposed to be the peculiar pride of the American people, and the great bulwark to personal and public rights, must fall rapidly into disrepute if they are found to be efficient only for the benefit of the rich and powerful, and the absolute majority on any subject will seek to enforce their views without regard to those restrictions on legislative power which are used only to their prejudice."

When two of the most learned and able justices of the Supreme Court of the United States feel it incumbent upon them to make use of language so strong and suggestive, it surely is time for the people to awake to the danger which threatens this republic from the corruption of the judiciary, through the overpowering influence exercised by gigantic corporations. This influence need not be in the nature of a bribe, nor would I even assert that judges have rendered decisions unduly favorable to railroad corporations with a consciousness of such influence upon them, but the evil is all the more dangerous in that it works insiduously, though it may not result in absolute crime.

It is also a suggestive fact, that the enormous earnings of these monopolies enable them to retain in their constant employ the most eminent lawyers; whilst the State governments, from fear of being charged with extravagance, allow but meagre fees, and must either rely upon the patriotism of lawyers or employ inferior counsel at starvation prices.

Another circumstance to be observed is, that while courts feel more or less inclined to favor railroad corporations, no such inclination is manifested in cases where public or municipal corporations are concerned. It is a notorious fact, that in nearly every Western

State, a number of counties, cities, and towns have been suborned into the issuing of bonds for railroad and other purposes to such an extent, and by means so evidently fraudulent, as to necessitate a rate of taxation absolutely ruinous; and that in nearly every case where the defrauded municipal corporations have applied to the courts for redress, it has been refused them.

I do not propose to argue here the question of law raised in the various cases alluded to, or even to assert that the decisions in those cases have been improper, but I do desire to call public attention to the remarkable fact, that for some years past — ever since these monopolies have grown up to their present power — the decisions of the courts have, as a rule, leaned in their favor, and been against the tax-payers, and their State, county, and municipal governments.

In conclusion, I desire to make some reference to the purely constitutional point involved, — that is, the right of Congress to take such action in regard to these gigantic corporations as I have herein suggested.

In a late debate in Congress on the rights of the Union Pacific Railroad, it was held, on the part of the company, that the powers conferred upon it by its charter were *perpetually* granted, and that no subsequent Congress could repeal or amend its charter; which, in other words, means, that one Congress may incorporate two or more individuals as a company, and give them any rights and privileges it pleases, — for instance, all the powers and prerogatives of the national government itself, — and that no subsequent Congress can lawfully repeal such grant. Which would effectually put an end to our whole form of government by a single act of Congress.

To prevent such an abandonment of the right of eminent domain and representative governmental power, which is *inalienably* vested in the people in a coöperative government, and to secure which to the government, beyond the power of dispute, was one of the main reasons why the original Articles of Confederation had to make room for our present National Constitution, the founders of that Constitution incorporated in it this clause (sect. 8, art. 1): —

"Congress shall have power to regulate commerce with foreign nations *and among the several States.*"

Now, those framers of the Constitution, chary as they were in words, were very careful to select just such few words as would govern the whole case.

Says Mr. Webster:[1] —

"Maritime defence, commercial regulation, and national revenue were laid at the foundation of the national compact. They are its leading principles and the cause of its existence. They were primary considerations not only with the convention which framed the Constitution, but also with the people when they adopted it. They were the objects, and the only important objects, to which the States were confessedly incompetent. To effect these by means of a national government was the constant, prevalent, the exhaustless topic of those who favored the adoption of the Constitution."

The following is from that eminent jurist, Judge Story. In speaking of the power of Congress to regulate interstate commerce, he says: —

"It is a power vital to the prosperity of the Union, and without it the government would scarcely deserve the name of national government, and would soon sink into discredit and imbecility. It would stand as a mere shadow of sovereignty, to mock our hopes and involve us in a common ruin."

And this from a no less eminent constitutional writer, Judge Cooley:

"I do not understand that the right of eminent domain can be exercised on behalf of private parties or corporations, unless the State permitting it reserves to itself a right to supervise and control the use by such regulation as shall insure to the public the benefit promised thereby, and as shall preclude the purpose which the public had in view in authorizing the appropriation being defeated by partiality or unreasonable selfish action on the part of those who, only on the ground of public convenience and welfare, have been suffered to make the appropriation."[2]

Again Judge Cooley says: —

"And it is believed that an express agreement in the charter that the power of eminent domain should not be so exercised as to impair or affect the franchise granted, *if not void as an agreement beyond the power of the legislature to make*, must be considered as only a valuable portion of the privilege secured by the grant, and, as such, is liable to be appropriated under the power of eminent domain. The exclusiveness of the grant, and the agreement against interference

[1] See Webster's Works by Curtis, vol. 1, p. 103.

[2] The People *v.* Township Board of Salem, 20 Mich. 483.

with it, if valid, constitute elements in its value to be taken into account in assessing compensation; but appropriating the franchise in such a case no more violates the obligation of the contract than does the appropriation of land which the State has granted under an express or implied agreement for quiet enjoyment, but which, nevertheless, may be taken when the public need requires." [1]

Again: in the decision of the Supreme Court of the United States rendered in the "Granger Cases," March 1, 1877, of Munn & Scott *v.* The People of the State of Illinois, 4 Otto, 113, Chief Justice Waite said: —

"This brings us up to inquire as to the principles upon which this power of regulation rests, in order that we may determine what is within and what without its operative effect. Looking, then, to common law, from whence come the rights which the Constitution protects, we find that when private property is affected with a public interest it ceases to be *juris privati* only. This was said by Lord Chief Justice Hale more than two hundred years ago in his treatise, *De Portibus Maris*, and has been accepted without objection as an essential element in the law of property ever since. Property does become clothed with a public interest when used in a manner to make it of public consequence, and affect the community at large. When, therefore, one devotes his property to a use in which the public has an interest, he in effect grants to the public an interest in that use, and must submit to be controlled by the public, for the common good, to the extent of the interest he has thus created. He may withdraw his grant by discontinuing the use, but so long as he maintains the use he must submit to the control."

I cite another authority. It occurs in the case of Gray *v.* The Clinton Bridge.[2] The case arose in the Circuit Court of the United States for the District of Iowa. The questions were with respect to an act of Congress of February 17, 1867, as to a bridge erected by a railroad company across the Mississippi River at Clinton, Iowa. In commenting upon the act, Judge Miller, of the Supreme Court of the United States, in deciding the case, said: —

"Navigation, however, is only one of the elements of commerce. It is an element of commerce because it affords the means of trans-

[1] Cooley's Const. Lim. 281, 282.

[2] 1 Woolworth.

porting passengers and merchandise, the intercourse of which is commerce itself. Any other mode of effecting this would be as much an element of commerce as navigation. When this transportation or interchange of commodities is carried on by land, it is commerce as well as when carried on by water; and the power of Congress to regulate it is as ample in one case as in the other. · The ' commerce among the States ' spoken of in the Constitution must, at the time that instrument was adopted, have been mainly of this character, for the steamboat, which has created our great internal commerce on the rivers, was then unknown.

"Another means of transportation, equal in importance to the steamboat, has also come into existence since the Constitution was adopted: a means by which merchandise is transported across States and kingdoms in the same vehicle in which it started. The railroad now shares with the steamboat the monopoly of the carrying trade. The one has, with great benefit, been subjected to the control of salutary congressional legislation because it is an instrument of commerce. Is there any reason why the other should not? However this question may be answered in regard to that commerce which is conducted wholly within the limits of a State, and is therefore neither foreign commerce nor commerce among the States, it seems to me that when these roads become parts of great highways of our Union, transporting a commerce which embraces many States, and destined, as some of these roads are, to become the channels through which the nations of Europe and Asia shall interchange their commodities, there can be no reason to doubt that to regulate them is to regulate commerce both with foreign nations and among the States, and that to refuse to do this is a refusal to discharge one of the most important duties of the Federal government. * * *

" Whenever subjects in regard to which a power to regulate commerce is asserted are in their nature national, or admit of one uniform system or plan of regulation, they are exclusively within the regulating control of Congress.

"Transportation of passengers or merchandise through a State, or from one State to another, is of this nature.

" Hence a statute of a State imposing a tax upon freight taken up within the State and carried out of it, or taken up without the State and brought within it, is repugnant to that provision of the Constitution of the United States which ordains that Congress shall have

power to regulate commerce with foreign nations and among the several States, and with the Indian tribes."

On appeal, the Supreme Court sustained the opinion of the Circuit Court.

I have quoted enough to show that we are not remediless in this contest with railway corporations created by Congress. The whole question, so far as the law is concerned, hinges, as I have said before, on this inquiry: whether Congress has, under our Federal Constitution, the right to grant to any person or corporation an irrepealable charter for any purpose whatever. I insist that it is not competent for Congress to make a grant by charter whereby it would be precluded from exercising, for the future, any of the essential attributes of sovereignty, and that Congress cannot diminish the powers of its successors by irrepealable legislation; and in this opinion I am supported by all the great constitutional jurists of the United States.

Finally, as I have said before, there is no formidable obstacle in the way of the Federal and State governments taking lawful possession of all the public railway-highways in the republic, and running them for the common benefit of all citizens, at reasonable rates for passage and freight. The people should own and control their public highways and all other means of public intercommunication. The harnessing of steam and electricity, by the inventive genius of Fulton and Morse, has multiplied the products of human industry about five-hundred-fold; but the vast benefits arising from these discoveries ought not to be turned into means of oppression and wrong by corporations, that usurp the powers of government under oppressive charters granted by the State and Federal legislatures.

TAXATION, DUTIES, AND IMPOSTS.

CHAPTER I.

THE NATURE OF TAXATION.

When the people of a certain district, territory, or State gather themselves into a political unity for the purpose of securing to each citizen his right to life, freedom, and property, and thereby his right to the fit and harmonious use of all the faculties of his mind and body, they establish a government to carry out their purpose. This government requires: First, money-salaries for the persons composing it, since they have no other means of support; and, second, money for the execution of those measures which the government considers essential to carry out its purposes and to execute the law. In private associations, such money-salaries and expenses are obtained from the profits of the associations, and deducted before the declaration of a dividend.

Government, however, does not propose to make any profit, redivisible among its citizens, but simply to conduct all its functions on the most economical basis. It does not propose to make out of its postal, railroad, and other functions money enough to pay its own expenses, since such a course would be manifestly unjust to the majority of the people. It is, therefore, bound to assess all the expenses of its administration upon the whole people indiscriminately, which assessment is called taxation.

The problem arises here: How is that taxation to be levied justly and impartially upon all values alike in the same proportion?

It is one of the old legal superstitions that only land is real property, and hence that its possession must be the basis of all taxation. This superstition had its origin in the feudal arrangement of assessing each vassal a specified number of warriors, according to the

extent and population of his landed property; the landed proprietors alone being considered worthy of direct taxation.

Moses did not make use of this inequitable species of taxation; he simply levied a capitation-tax of a half-shekel on every male in the nation, besides a tribute of the first fruits and the first born of all domestic animals, together with tithes for the support of the priestly tribe of the Levites, and every third year a tithe for the support of the poor. It is, moreover, to be observed, that the undue increase of these taxes under the kings, when the organic law of Moses had already lost much of its supremacy, and when thus taxes began to be levied upon lands, houses, and foreign merchandise, materially assisted in the final utter overthrow of the Mosaic code, the disruption of the kingdom after the death of Solomon, and the secession of the ten tribes, which a few centuries after was followed by the scattering of the Jewish people over the world.

Neither in the Greek nor in the Roman Republics were taxes ever levied. They supported their organizations, as we have already seen, by the plunder of war; and it was only in the later times of the Roman Empire, that divers kinds of levies were practised to meet the enormous expenses of its rulers.

But in the feudal times a king levied upon his subordinate princes, whenever war was necessary, according to the terms of their feudal lien, and had to recover his other necessaries from his own domains and the plunder obtained by the war. The noble landed possessors again covered their expenses by divers arrangements with their freeholders, tenants, slaves, etc., or, if very noble, by plundering whoever fell into their hands, and particularly the Jews.

But it is very evident that thus to consider land as the only real taxable property is a wrong and unjust procedure. Take a farmer who owns a farm, say, worth $8,000, its annual income being $500. You assess him as worth, say, $6,000,—it being a foolish custom always to assess at about one-third less than the actual value. Next you call upon a physician who has an extensive practise. He has no real property, — none at all; hence you do not assess him. Nevertheless the physician has an annual income of, say, $10,000.

This is flagrant injustice. The farmer has land worth $500 a year, and the physician has an income from his practise worth $10,000 a year; and yet under that system the latter pays no tax, while the former pays an exorbitant one, simply because his property is in

land. The unjust inequality becomes still more glaring where, in some States, if the farmer has mortgaged his land, worth $8,000, for $6,000, he pays, nevertheless, taxes upon the whole value, where his interest in it is only $2,000. The farmer's land is nothing more than a source of revenue, like the practise of the physician; in either case the income should be taxed. If a person has other real estate than that from which he derives income, and holds it unimproved and without leasing it, he should, if practicable, be taxed for the income it would bring if used or leased.

Taxation, to be just, should be primarily assessed according to the respective net incomes of all citizens, to be ascertained as stated. Thus the farmer should pay taxes upon his income, and not upon the real estate from which it is produced; the manufacturer no taxes upon his factory, machinery, stock material, capital used, or his dwelling-house; nor the physician upon his office, library, medicines, or dwelling-house; and the reasonable necessary expenses of carrying on such business, or those pertaining to the practise of a physician, should be deducted from the gross income in all cases; the rule being to tax net income only.

But where such assessment is made upon the unproductive wealth of citizens, that assessment should be made upon the real value, since every other form must prove unjust, and cannot bear equally upon all. As things are at present, we assess the $30,000,000,000 of our whole national wealth at only $14,178,986,732. That this must operate great wrong on many is evident. Massachusetts, for instance, paying taxes on $1,591,000,000 of its computed wealth of $2,132,000,000, is greatly wronged if New York pays taxes on $1,900,000,000, when the real value of her wealth is $6,500,000,000; and similar injustice cannot fail to occur in the assessments of individual citizens in the separate States.

The assessment made upon the income, however, should include all income, and no source of income should ever be exempted by law from taxation. It is directly violative of all justice to exempt from taxation certain bonds bearing interest, or any other property, thereby establishing among the tax-payers a privileged class, or a moneyed aristocracy. It was bad enough to sell our interest-bearing bonds, in many instances, at only one-half their par value, — bonds that bore heavy interest, and that have since been unjustly made payable, both capital and interest, in gold, — but it was an additional

outrage upon the people to exempt these bonds from taxation. This has created a privileged class in our republic, utterly inconsonant with the principles of a just government, bearing equally upon all citizens.

But our present mode of taxation operates unjustly also in another way. Take, for instance, the following figures: —

In 1875, out of a revenue from internal taxes of somewhat over $103,000,000, the North-Eastern States, including Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, paid $4,000,000, but in proportion to population should have paid $9,250,000, and according to wealth nearly $14,000,000. The Middle States, New York, New Jersey, Pennsylvania, and Delaware, $24,000,000. Their contribution according to population would have been the same amount, but their proportion according to wealth would have been $38,500,000. The North-Western States and the Territories, including Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Minnesota, Kansas, Nebraska, Montana, Dakota, Colorado, Arizona, Idaho, Utah, and Wyoming, paid $43,500,000. Their proportionate share according to population would have been only $30,333,333, and according to wealth only $27,500,000. The Southern Middle States, including Maryland, Virginia, West Virginia, North Carolina, Kentucky, and Missouri, paid $26,000,000; but their proportion according to population would have been only $17,750,000, and according to wealth only $11,500,000. The Cotton States, including South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, and Tennessee, paid $2,250,000; but their proportion according to population would have been $19,500,000, and according to wealth $17,000,000. The Pacific States paid over $3,000,000; but according to population should have paid less than $2,000,000, and according to wealth less than $2,250,000.

But if our system of Federal taxation works thus unjustly, oppressively, and encourages corruption, it must be acknowledged that our systems of State and municipal taxation are equally deficient and inequitable. Indeed, it is hard to say whether there is more dissatisfaction expressed with the excessive amount of the taxes, or the injustice of the system under which they are assessed. Take the assessment of real estate, to which I have already referred in another connection, as an instance.

No rule is established by which to determine the actual value of a

piece of property. One board of assessors may fix it at $1,000, and another board at $2,000, both boards acting in perfect good faith. Who is to decide, and what assessment is to rule? Movable property is exposed to the same uncertainty as to its value, not to mention that over one-half of it escapes taxation altogether, because its existence is unknown to the assessors. The taxation of the property of corporations involves even still more difficulties and injustice. First, there arise the intricate questions whether all the stock of those corporations ought to be taxed, and in whose hands it ought to be taxed, and whether the debts of the corporation ought to be taken into account in the assessment. But the most difficult problem is to discover the market value of the property owned by these corporations. The assessment of railroad property illustrates this difficulty most strikingly, as the following instances will show: —

In a dispute that had arisen concerning the taxation of the Missouri Pacific Railroad, it was shown conclusively that the real value of the road was in the neighborhood of $20,000,000, and that it paid a six per cent dividend on that amount. The road had been assessed, however, at only one-half of that sum, — $9,659,423. Nevertheless, the president of the road returned its actual value, under oath, at only $3,716,920, — not one-fifth of what it ought to have been.

The St. Louis and Iron Mountain Railroad, again, which was constructed at a cost of $20,000,000, was assessed at only $6,266,334.

The Atlantic and Pacific Railroad, finally, which was worth at least $25,000 per mile, according to the sworn statement of its own chief officer, was assessed only at the rate of $10,000 per mile.

The following table of a late date exhibits still more clearly this general inequality of assessment in the different States: —

State Debts, Valuation, and Taxes for 1878–9.

States.	Date of Statement.	Amount of State Debt.		Am't Raised by Taxation Last Year.	Amount of Taxable Property as Assessed.		State tax on $100—Qu.
		Funded.	Unfunded.		Real.	Personal.	
Alabama . .	Sept. 30, 1879	$7,809,200	.....	$827,399	$117,486,581 Real and Personal.		70
Arkansas . .	Sept. 30, 1879	2,680,000	$2,320,000	613,957	$54,606,057	$32,286,484	65
California . .	Oct. 31, 1878	3,403,000	None.	4,105,884	454,641,311	140,431,866	55
Colorado . .	Nov. 30, 1878	None.	123,803	155,506	25,804,345	17,268,303	36
Connecticut .	Dec. 1, 1878	4,967,600	.....	2,246,490	238,027,032	106,379,945	15
Delaware . .	Jan. 1, 1879	953,000	.....	134,400	.....	.....	50
Florida . . .	Jan. 1, 1878	1,284,700	10,905	250,473	18,950,160	10,521,067	70
Georgia . . .	Jan. 1, 1878	10,644,500	.....	1,129,990	140,153,250	95,506,280	50
Illinois . . .	Oct. 1, 1878	552,742	None.	3,300,000	994,214,374	206,908,736	33
Indiana . . .	Nov. 1, 1879	4,998,178	.....	2,608,488	637,763,081	246,605,747	30
Iowa	Oct. 30, 1877	545,433	.....	965,062	303,383,682	79,618,995	20
Kansas . . .	July 1, 1878	1,181,975	.....	705,060	96,695,457	41,131,186	55
Kentucky . .	Oct. 10, 1879	1,858,008	.....	1,430,957	345,037,875 Real and Personal.		40
Louisiana . .	Jan. 1, 1879	11,724,800	1,035,943	2,432,188	177,000,000	32,361,402	60
Maine	Jan. 1, 1879	5,848,900	2,521,657	880,007	224,579,569 Real and Personal.		40
Maryland . .	Oct. 1, 1877	10,758,678	.....	1,063,958	247,044,271 Real and Personal.		17
Massachusetts	Jan. 1, 1879	33,020,464	.....	1,000,000	1,090,749,235	438,771,779	3½
Michigan . .	Oct. 1, 1879	913,150	.....	115,300	308,753,036	66,127,992	17
Minnesota . .	Dec. 22, 1878	2,675,000	122,002	672,647	175,788,979	45,141,650	20
Mississippi . .	Jan. —, 1878	525,000	.....	933,539	95,937,398	33,370,957	35
Missouri . . .	Jan. 1, 1879	16,758,000	250,000	2,752,230	425,995,888	163,543,097	40
Nebraska . .	Nov. 30, 1879	499,267	.....	918,413	47,391,781	27,968,018	60
Nevada . . .	Jan. 1, 1879	557,017	88,625	252,404	16,820,384	12,744,289	90
New Hampshire	June 1, 1879	3,459,100	179,503	400,000	199,080,353 Real and Personal.		20
New Jersey .	Oct. 31, 1878	2,196,300	.....	820,000	445,918,221	160,497,340	25
New York . .	Sept. 30, 1878	9,154,055	926,695	5,823,149	2,376,252,178	379,488,140	29
North Carolina	Sept. 30, 1879	16,960,045	10,160,183	533,635	91,679,918	56,884,639	33½
Ohio	Nov. 15, 1878	6,476,905	.....	4,496,376	1,092,116,952	490,190,387	29
Oregon . . .	Jan. 1, 1879	320,000	331,575	323,583	41,436,086 Real and Personal.		70
Pennsylvania .	Dec. 1, 1878	21,875,621	113,883	6,092,001	No tax on Real Est.	159,382,242	30
Rhode Island .	Sept. 2, 1879	2,534,500	None.	492,360	188,655,569	67,397,249	12
South Carolina	Oct. 31, 1878	5,130,966	1,608,730	715,982	85,633,873	40,083,341	45
Tennessee . .	Dec. 21, 1878	20,221,300	4,201,902	626,529	202,340,815	20,871,338	10
Texas	Sept. 1, 1878	13,861	.....	1,396,170	83,174,600	174,457,409	50
Vermont . .	Aug. 1, 1879	139,500	.....	292,228	70,849,386	16,845,123	30
Virginia . . .	Dec. 1, 1878	29,350,826	.....	2,500,000	246,391,193	76,178,438	50
West Virginia	Creation of State debt prohibited by Constitution.			515,241	95,079,808	33,480,119	30
Wisconsin . .	Sept. 30, 1879	2,252,057	.....	681,620	322,470,945	90,631,981	16½

In fact, it is this inequality of the distribution of taxes, not only upon States and sections of country, but also, and chiefly, upon individuals, which is the main ground for the general disinclination of people to pay their assessed taxes, and a disposition on the part of otherwise strictly honest men to dodge their tax-bills. The State assessors of New York, in a recent report on the subject, mention, however, that it is not only the evasion of assessment on personal property, but many and vast inequalities in the valuation placed upon

the same kinds of property in different parts of the State, of which complaint is made. Bank-stock, for instance, is valued at forty per cent in some counties, at par in others, and at one hundred and thirty per cent in others. In some parts of the State real estate is assessed at fifty-six per cent of its cash value, while bank-stock is listed at its full value. To make the unfairness of the present system more clear, the assessors suppose the case of a man having $5,000,000, which he wishes to invest in five different kinds of property. The first million would cost him $25,800 in taxes, and yield a net income of $40,000; the second would cost $38,480 in taxes, and yield a net income of $60,000; the third would cost but $2,247 in taxes, and yield a net income of $70,000; the fourth would cost $6,750 in taxes, and yield a net income of $80,000; the fifth would cost $34,150 in taxes, and yield a net income of $25,800.

Now, a purely income tax would do away with all the difficulties suggested by these New York assessors. The subject is one so important, and one so little understood generally, that I cannot forbear quoting from an eminent writer, who deals with the question, however, mainly in regard to its connection with the amount of taxes all classes of people have to pay upon the dutiable articles of commerce which they consume. He says: —

"The irregularity in the distribution of wealth in the several States raises the necessity of a radical reform of our system of national taxation. Its burden does not bear upon the people in proportion to their ability to pay. Our taxes are all indirect, and being laid upon articles of consumption, the consumers pay them at the end of the account, together with the profits on the increased capital required to pay the customs and excises. The people contribute the entire revenue *as consumers*, and not as property-holders; *and the poorest are consumers of articles that are taxed from forty to two hundred per cent.* The wealthy pay no more than the poor and the middle classes, except so far as their consumption is greater.

"Fortunately, through the returns under our late income-tax, we are able to approximate the amount of this difference in consumption. The aggregate return of incomes in New York City for 1867–8, with the number who made returns, was as follows: —

	Total Income.	*Tax-payers.*
1867	$68,045,862	17,430
1868	85,597,484	17,919
Population	900,000	Families, 180,000
Families that returned no income		162,081
Number of persons in the income families		62,716
Number of persons of less than $1,000		837,284

"We count the wealthy class at three and one-half persons per family, and the poor at over five. This is liberal toward the rich, as shown by the fact that one-fourth of the people of Massachusetts — being of foreign birth — give to the State more than half her children; and also by facts that have been reported as to the numbers in the 'upper' families of New York City, not including servants.

"The increased consumption of the sixty-two thousand seven hundred and sixteen persons in the income families measures the greater amount of revenue contributed by them. To get at this we have analyzed the thirty-eight double columns of income-returns for 1868, published by the New York *Tribune* in June, 1869, with the following results: —

No. Persons.	*Amount Income.*	*Average Each.*
67	Over $100,000	$217,138
710	From $20,000 to $100,000	40,577
2,774	From $5,000 to $20,000	9,204
5,981	From $1,000 to $5,000	2,173
8,387	Of $1,000 and under	380
17,919	Paid $1 to $3,019,218	$4,777

"It is estimated that these classes respectively consume an average of two, four, six, eight, and twenty times as much of taxed products as is consumed by the average of the great mass of the people whose incomes are less than $1,000, averaging probably $450, against $1,450 for the 8,387 persons in the table, adding the $1,000 exempted.

"If we now multiply the numbers of the several classes of income-tax payers by the ratios of two, four, six, eight, and twenty, to rank them numerically with the mass of the people as consumers, we shall have the following: —

First class	1,340
Second class	5,680
Third class	16,644
Fourth class	23,924
Fifth class	16,774
Total	64,362

"These represent families ranking with the average of the people as consumers. We now have the following: —

Families returning no income	162,081
Income families as increased	64,362

"Suppose, what is not far from the fact, that the people of New York pay $10,000,000 annually to the general government on their consumption. Of this, the 162,081 families pay $7,157,695, and the 64,362 pay $2,842,305, against $958,000 if they consumed no more than the mass of the people. This gives an increased payment by the 17,919 income-men, on their increased consumption, of $1,884,305. This is nearly nineteen per cent of the aggregate of $10,000,000 paid by that city.

"The $85,000,000 of income returned in 1868 represented just about half the total income of that city over $500 exemption. Thus it is seen that the 17,919 persons, who, with their exempted $1,000 added, obtained over half the income of all the people having more than $500 each, paid less than one-fifth of the entire revenue obtained from the city by virtue of their vast surplus income, while the mass of the people, with no surplus income, paid over seventy-one per cent of the whole. In the eye of justice, the income class, including all with over $500 of gross income, should have paid the whole, each one in proportion to his income."

But the income-tax has still another feature which strongly recommends it for general adoption. It enables the government to check the inordinate growth of large incomes by levying an additional tax of a certain percentage above a fixed amount of income. Without attempting to establish precise figures for what must of necessity be a subject of practical legislation, I may illustrate my idea by the following: —

Assuming an income of from $5,000 to $10,000, and to be taxed five per cent, an income of from $10,000 to $20,000 would be taxed ten per cent; from $20,000 to $30,000, fifteen per cent; from $30,000 to $50,000, twenty per cent; from $50,000 to $75,000, twenty-five per cent; from $75,000 to $100,000, thirty per cent; and for all incomes over $100,000, say, thirty-five per cent. All the surplus money thus raised by taxation, not used for regular governmental expenses, to be used for payment of public debts, the establishment of schools, asylums, and internal improvements.

It has long been conceded, that the extraordinary increase of large capitalists in our republic constitutes the greatest danger to which it is exposed. We have little or nothing to fear from monarchical tendencies, little or nothing from an aristocracy of birth; nor need we apprehend any danger from priestly rule, under our system of complete religious freedom. But the danger that threatens us is the one which all republics must guard against, which killed all semblance of popular freedom in the Lombardian republics of the Middle Ages, and which long before had put an end to the Roman Republic, — the accumulation of inordinate wealth, and consequently of power, in the hands of a very few individuals.

The establishment of the first triumvirate in Rome is perhaps the most noted instance of this danger. Three men — Pompey, Crassus, and Cæsar — succeeded, by an alliance of wealth with military glory and political ambition, in putting an end to republican institutions in a very few years. Narrow-minded Crassus furnished the wealth, ambitious Cæsar furnished occasions to Crassus for constantly increasing his wealth, and self-glorifying Pompey used Crassus's money to increase his power with the people and the army. But it was the man of money, Crassus, the narrow-minded, — and men of money are generally narrow-minded, — who really furnished the lever wherewith the republic was lifted out of its axis and thrown into the bottomless pit of subsequent Cæsarism and barbaric invasion.

Now, this same accumulation of wealth in the hands of a few comes with rapid strides under our very eyes. Thirty years ago a man worth a single million was a great rarity in our country; to-day every large city counts its millionaires by the dozen. They have absolute power over the railroads, telegraphs, and their tariffs; they have obtained the best lands of the United States by bribing Congress; they make corners in grain, and raise the price of wheat and corn as fancy prompts them; nay, they play with the lives and health of the poorer classes by organizing "syndicates" for the purchase of the world's supply of opium and quinine, when they can see large profits ahead.

This one fact alone should be a sufficient warning: One of these money-men, William H. Vanderbilt, recently sold a large amount of his railroad stock, and with the proceeds bought about *fifty million dollars* of United States registered four-per-cent bonds. *And on these fifty millions he pays no taxes.* Is this equitable? Is it just?

The poor man pays as heavy a tax on the pound of coffee or sugar which he buys as Mr. Vanderbilt, but the latter pays not a cent of taxes on an income of two millions per annum derived from those bonds, which two millions annually all the other tax-payers have to pay him through their national government.

In truth, I hold the danger to our rights and liberties so threatening, from the accumulation of wealth in the hands of a few, that I would even extend a check upon it beyond the operation of taxation, by limiting the power of individuals to convey, by gift or devise, their property and riches beyond a certain value or amount. The right of a State to exercise such a restrictive power has never been seriously questioned, and the expediency of exercising it is constantly gaining more advocates as the evil increases. One of the most illustrious of the recent converts to a recognition of this necessity is Professor Bluntchly, the great German, or, rather, Swiss jurist. His recommendation of the changes to be made in the present system is substantially as follows: —

If the testator leaves direct heirs, the whole legacy to go to them; but if no direct heirs exist, a proportion of the legacy, increasing in value with the whole amount, should go to the State or the community, as follows: If the legacy goes to parents, or grandparents, or sisters, or brothers, or their descendants, then, Mr. Bluntchly suggests, the State should take five per cent of every $3,000, ten per cent of every $20,000, and ten per cent additional whenever the amount exceeds $30,000.

The more remote the relationship of the heirs, the larger should be the proportion given to the State. If there are no relatives, the State should get everything.

The fund thus acquired by the State should be set apart for educational and benevolent institutions; and in this way wealth would be made to circulate through the body-politic, even as the blood circulates through the human body.

Whether this plan of Professor Bluntchly is the best that can be devised, I leave undecided. Each country would probably find it incumbent to change the figures to suit its special economical condition. I only wish to emphasize the necessity of substituting some such system for our present mode of keeping such a vast power as that of unlimited grants and devises unchecked by the law.

CHAPTER II.

THE TRUE RULES OF TAXATION.

Adam Smith lays down the maxims of taxation in this manner: —

1. "The subjects of every State ought to contribute towards the support of the government as nearly as possible in proportion to their respective abilities, — that is, *in proportion to the revenue which they respectively enjoy under the protection of the State.*"

2. "The tax which each individual is bound to pay ought to be certain, and not arbitrary; the time of payment, the manner of payment, and the quantity to be paid, ought all to be clear and plain to the contributor, and to every other person."

3. "Every tax ought to be levied at the time and in the manner in which it is the most likely to be convenient for the contributor to pay it."

4. "Every tax ought to be so contrived as both to take out and keep out of the pockets of the people as little as possible, over and above what it brings into the public treasury of the State."

These maxims are so manifestly just that they ought not to stand in need of any arguments in their support. The only equal taxation is that which is levied in proportion to the revenue which citizens respectively enjoy under the protection of the State, — that is to say, upon their income. And not only is it the only equal and just mode, but it also excludes arbitrariness in the assessment, and makes it always distinctly known to every person how much his taxes will amount to.

It is, furthermore, the only mode of taxation which can be so regulated that it can be levied at the time most convenient to the taxpayer, and which admits of the cheapest system of collection. Under our present system of collecting taxes and duties, the cost of collecting, in many instances, equals the amount collected.

CHAPTER III.

THE LIMITS OF TAXATION.

Taxation should be levied only for the needs of the government to carry out its functions, and for no other purpose whatever.

Under the present state of things the larger amount of the taxes goes, in a direct or indirect way, towards the payment of interest on the bonds, mortgages, and loans negotiated by the general government, or the several States, counties, and cities. By the adoption of the money-system I propose, and which is the only system founded upon a rational basis and comprehension of the real nature of money, this large amount of taxes would in a very short time cease to oppress the people.

For with the establishment of such a money-system by the general government, the prohibition of the issue of further bonds by the several States, counties, cities, etc., would necessarily go hand-in-hand, since such issue would interfere with the money-making power of the general government, as has already been shown. Nor, indeed, as the whole past history of our cities, counties, and States has shown, is there any occasion for the issue of such bonds. With rare exceptions, those loans have been contracted in the behalf of upstarting monopolies, railroads, or other enterprises, that, as soon as thus nourished into wealth, have turned around and become a curse to the cities, counties, and States that cherished them. The railroad history of Missouri, Tennessee, and North Carolina is full of wholesome lessons in this respect. The financial history of New York City is a still more frightful lesson in the same direction, as to the folly and danger of permitting cities this prerogative of money-making by the issue of bonds. Had New York City had no power to borrow money on her bonds, the Tweed infamy would have been impossible, and the citizens of to-day and of an indefinite future would not have been saddled with a debt of over a hundred millions, the interest on which constitutes about the largest item in the whole tax-list. Indeed, it may be safely said that the taxes paid by the people during the last ten years in the way of interest alone on the loans contracted by their respective States, counties, and cities, would have sufficed to make all the improvements for which the loans were originally contracted. It is this interest which is the

heaviest tax, the real money-despot, that is to be abolished. In the general government its power will be abolished by issuing paper money to redeem interest-bearing bonds; in the States, counties, and cities it will be suppressed by prohibiting their power to contract loans, except from the Federal government for the purposes of liquidation.

The individual alone, who chooses to put himself under its rule, may of course do so, but for the consequences he has only himself to blame. Few individuals are, however, likely to be so imprudent in their private affairs. It is only through the indirect agency of the State that men are guilty of these things. Men who would rebel at the least direct taxation are quite ready indirectly to tax themselves to any extent, whether through the agency of interest or of the tariff.

Let me add, in a general way, some few further suggestions in relation to the subject of taxation. Now, it may at first sight seem somewhat out of place to mention in connection with this matter of general taxation the insurance business, which is usually considered to be of purely private significance; but I am very strongly of the conviction, that the time has come when the various municipal and State governments of our republic should undertake at any rate the businesss of fire-insurance on their own account, levying a general tax for the benefit of all the people, as is done in Berlin, Dresden, and other cities of Germany. Not only is this system far cheaper than our present system of irresponsible chartered corporations, but it also interests every citizen in preventing the outbreak of fires, and yet secures to each insured person who has been an innocent sufferer from conflagration, the immediate and absolutely certain payment of his claim.

To show how the system works in Germany, I will single out the following statistics from the report of the Berlin fire-department for the year 1872–3, Berlin having then a population of about one million inhabitants. The losses by fire for that year amounted to only $70,000 (77,574 thalers).

According to the German plan of insurance, every house-owner in the city of Berlin is compelled to insure his buildings, — though only to three-fourths of their value, — and the whole amount of insurance in Berlin for that year, 1872–3, was 326,928,025 thalers for buildings, and 355,254,544 thalers for personalty. According to the German plan of insurance, again, the holder of a policy does not pay an annual, regular premium, but only so much of an assessment as is nec-

essary to pay his part of the losses of the year. The policy-holders of Berlin had therefore to pay only four and two-thirds cents for every $100 of their insurance, as their annual assessment for the year 1872–3. In other words, it cost only $4.66 a year to insure a house worth $10,000 in Berlin, whereas under our American system a similar house would cost a premium of $75 to $150 a year.

In machinery and technical perfection, the fire departments of St. Louis, Chicago, and Cincinnati are greatly ahead of those of Germany. The Berlin fire-department had not then a single steam-engine, and in many cases had to haul the water to the places of fire in large casks. Nor is the organization of the Berlin fire-department very expensive. The whole expense for 1872–3 amounted to barely $90,000; some $160,000 less than the cost of the St. Louis fire-department, for instance. But the discipline of the Berlin fire-department is next to perfect, and its telegraphic communication with every part of the city complete. Every member of the department is a trained soldier, and the strictest military discipline is preserved. Should it be necessary in the course of a fire, the next in command can always take the place of his superior. Besides, while the fire lasts, the chief of the fire department has control over the police, and his authority is supreme. This systematic coöperation has made large fires next to impossible in Berlin. During the year 1872-3 there occurred seven hundred and twenty-nine fires in Berlin, of which number six hundred and two were small fires, twenty-three chimneys on fire, sixty-four ordinary-sized fires, and forty large fires. Of these forty large fires, not a single one extended into an adjoining building, owing to the prompt and circumspect action of the fire department.

The main attention of the fire department is, however, directed towards suppressing fires at the first start, and hence to keep a close watch in every part of the city; and to keep telegraphic communication so easy of access that not one superfluous minute need be lost in summoning assistance.

Now let it be remembered, that a citizen of St. Louis, for instance, pays, first, insurance on his building and its contents; he furthermore pays a tax for the maintenance of the St. Louis fire-department. The rates of insurance are most likely too well known to my readers. The rates of taxation can be readily gathered from the following tables: —

Expenses of the St. Louis Fire-Department for the Year 1878–9.

Building account	$6,500 51	
New engines account	8,200 00	
Repairing engines account	4,635 09	
Repairing hook and ladder apparatus account	806 39	
Furniture account	967 14	
Fuel account	1,902 56	
Hose account	12,988 75	
New hose-carriage, etc., account	785 00	
Repairing hose-carriages and wagons account	3,826 25	
Horses account	3,368 43	
Horse-feed account	8,928 89	
Horse-shoeing account	2,255 50	
Harness account	2,033 90	
Light account	3,536 11	
Miscellaneous account	1,769 68	
Salary account	189,483 89	
		$251,988 09
Less credit		952 33
		$251,035 76

Hence, while Berlin, with a population of one million of souls, in 1872–3 paid only $90,000 for its fire department, St. Louis in 1878–9, with little less than half that population, paid over $250,000 to put out the fires that the insurance companies were paid premiums to insure against. This does not include the expenses of the fire-alarm telegraph, some $15,000 per year, nor the premiums of insurance, amounting to about $1,000,000 per annum.

Again, the losses by fire in St. Louis for 1878–9 were as follows: —

Months.	*Loss on Buildings.*	*Loss to Insurance Companies on Buildings.*	*Loss on Stock, Furniture, & Machinery.*	*Loss to Insurance Companies on Stock, Furniture, & Machinery.*	*Total Loss.*	*Total Loss to Insurance Companies.*
April	$5,120 00	$4,005 00	$6,270 00	$5,720 00	$11,390 00	$9,725 00
May	4,790 00	3,950 00	29,500 00	28,900 00	34,290 00	32,850 00
June	16,750 00	7,770 00	12,225 00	12,125 00	28,975 00	19,895 00
July	12,260 00	12,060 00	5,330 00	4,830 00	17,590 00	16,890 00
August	4,530 00	3,140 00	3,780 00	1,210 00	8,310 00	4,350 00
September	11,710 00	11,110 00	39,890 00	36,270 00	51,600 00	47,380 00
October	7,460 00	6,660 00	11,280 00	7,310 00	18,740 00	13,970 00
November	10,890 00	9,900 00	21,585 00	19,895 00	32,475 00	29,795 00
December	46,970 00	46,880 00	92,470 00	89,790 00	139,440 00	136,670 00
January	120,040 00	115,500 00	110,440 00	100,500 00	230,480 00	216,000 00
February	5,410 00	3,910 00	18,035 00	17,200 00	23,445 00	21,110 00
March	2,810 00	2,360 00	7,380 00	7,030 00	10,190 00	9,390 00
Total	$248,740 00	$227,245 00	$358,185 00	$330,780 00	$606,925 00	$558,025 00

Total number of alarms	291
Number of false alarms	8
Total number of alarms of actual fires	283

The losses by fire in Berlin for 1872–3 amounted, as before said, to only $70,000. These figures are surely eloquent enough in favor of a substitution of the German for our system of fire-insurance.

And now in regard to the life-insurance business.

The present vicious life-insurance system by chartered corporations, which usually wait for an opportune moment to become bankrupt, and leave their too confiding customers in the lurch, after having sufficiently bled them, should also be at once abolished by law. This life-insurance business might be advantageously administered by the State and municipal governments, which would insure far greater economy than the present system, and, what is even more important, guarantee absolutely certain and speedy payment.

This, however, need not interfere with the so-called coöperative, or benevolent insurance companies, which are altogether private societies, that practice insurance merely incidentally. How different the *modus operandi* of these societies is from that of the great chartered life-insurance companies will appear from the following, which I quote from a pamphlet recently published on the subject by Mr. Isidor Bush, of St. Louis: —

"With how small an expense endowment funds for fraternal societies can and should be managed, may be learned from the Jewish organizations of that kind.

"District Grand Lodge No. 1, I. O. B. B., in New York, embraces over eight thousand members, in seventy lodges; it paid during 1877 sixty death-claims of $1,000 each=$60,000; its accumulated reserve-fund (though inadequate) is — January, 1878 — $32,984.82; its entire expense-account (proceedings, January, 1878, p. 64), $117.67; if you add to this one-half the salary of the Grand Lodge secretary and other officers, rent and general expenses of the Grand Lodge, the entire cost of management would still be less than $3,000.

"The endowment fund of District Grand Lodge No. 2, I. O. B. B., is kept and managed by a separate board of trustees and secretary. Their fourth annual report (January, 1878) shows two thousand five hundred and forty-one members; receipts, collected in four years from assessments and interest, $109,348; endowments paid, $65,000; reserve fund, investments at interest, $37,688; cash on hand, $3,389; entire expenses in four years, $3,270.

"Similar economy prevails in others, showing such to be not only

possible, but actually practised. Assessments being uniform, notices of deaths and collections made monthly, at the close of every month, and to the lodges only, the correspondence and work of the endowment-fund secretary is so much simplified that a few leisure hours are quite sufficient to do it promptly and well, and a very competent member can be easily induced to do it for a comparatively small compensation. But even in the Cincinnati Mutual Endowment Association, I. O. B. B., consisting of a *voluntary* membership of about twelve hundred and fifty individuals, the total expenditures of management have been, during the ten years of its existence, only $10,501, during which time it has paid to the families of its deceased members $181,220; or, in other words, the expenses amount to but five per cent of the benefits. They should not amount to more. Let no promises of future great results, of increase in benefits by the accession of new members, let no taunts about misguided economy deceive you. Even misguided economy is better than waste and corruption. Any endowment association where the cost of management is considerably larger than five per cent — and in some it is almost equal to the benefit — is no better than most of the life-insurance companies were which have lately passed out of existence.

"Truly benevolent fraternal societies have no need of hired agents, who are paid commissions for soliciting and obtaining new members, or rather new risks, whose qualifications consist in the medical examiner's certificate. Organizations using such adjuncts were justly refused to be recognized as truly benevolent associations, to whose primary objects of brotherly love a feature of mutual insurance may well be added, and who are not and will not be interfered with by either courts of law or legislatures."

The large amount of money invested in these life-insurance companies may be gathered from the following table: —

New York Companies.	*1879. Twelve Companies.*	*1878. Fifteen Companies.*
Assets	$202,560,039	$206,552,631
Liabilities	169,607,694	174,793,339
Premiums	30,025,213	32,271,633
Total income	41,158,408	43,357,430
Death-claims and endowments	14,318,971	14,064,661
Lapses and surrenders	7,502,656	10,128,115
Total payments	35,086,206	38,141,720
New policies issued	34,263	31,710
Amount thereof	90,465,572	87,627,832
Terminated policies — Amount thereof	90,561,000	116,473,647
Number of policies in force	261,799	258,706
Insurance in force	730,648,500	721,744,888

Other State Companies.	*1879. Nineteen Companies.*	*1878. Nineteen Companies.*
Assets	$198,967,019	$197,526,514
Liabilities	166,652,358	164,792,287
Premiums	22,696,507	24,964,702
Total income	35,012,545	37,105,569
Death-claims and endowments	15,397,342	14,830,090
Lapses and surrenders	5,199,532	6,967,879
Total payments	31,814,134	33,986,348
New policies	33,136	35,330
Amount thereof	68,399,378	69,471,297
Policies in force	333,687	337,042
Insurance in force	709,312,665	726,957,513

Or a total of life-insurance policies for 1879 —

In New York companies	$730,648,500
In other State companies	709,312,655
Total	$1,439,961,155

Over fourteen hundred million dollars, on which the hopes of millions of families depend!

And finally, an end should be put to the abominable patent-right system, as it exists at present, which allows inventors to apply for an extension of their patents — the original term of which is fixed by law at seventeen years — for seven years longer, and then again for another seven years, and so on, *ad infinitum*, upon payment of $50. This system has given rise to the most monstrous monopolies, of which I need only instance the Singer Sewing-Machine Company and the McCormick Reaper Company; and, besides levying cruelly oppressive taxes on the public, has fostered an outrageous system of bribing the Congress of the United States. When it is considered

that this patent business has doubled within the last thirteen years, the danger threatened by continuing the present system becomes at once apparent. It is right enough to secure the applicant a patent for a limited number of years in his invention, but after the expiration of that term there should be no reissue or extension. The following table shows the growth of the United States patent-office business from 1837 to 1878: —

Calendar Year.	Applications.	Caveats Filed.	Patents Issued.	Cash Received.	Cash Expended.	Surplus.
1837	.....	.....	435	$29,289 08	$33,506 98	.....
1838	.....	.....	520	42,123 54	37,402 10	$4,721 44
1839	.....	.....	425	37,260 00	34,543 51	2,716 49
1840	735	228	473	38,056 51	39,020 67	.....
1841	847	312	495	40,413 01	52,666 87	.....
1842	761	391	517	36,505 68	31,241 48	5,264 20
1843	819	315	531	35,315 81	30,776 96	4,538 85
1844	1,045	380	502	42,509 26	36,244 73	6,264 53
1845	1,246	452	502	51,076 14	39,395 65	11,680 49
1846	1,272	448	619	50,264 16	46,158 71	4,105 45
1847	1,531	553	572	63,111 19	41,878 35	21,232 84
1848	1,628	607	660	67,576 69	58,905 84	8,670 85
1849	1,955	595	1,070	80,752 98	77,716 44	3,036 54
1850	2,193	602	995	86,927 05	80,100 95	6,816 13
1851	2,258	760	869	95,738 61	86,916 93	8,821 60
1852	2,639	996	1,020	112,656 34	95,916 91	16,739 48
1853	2,673	901	958	121,527 45	132,869 83	.....
1854	3,324	868	1,902	163,789 84	167,146 32	.....
1855	4,435	906	2,024	216,459 35	179,540 33	36,919 02
1856	4,960	1,024	2,502	192,588 02	199,931 02	.....
1857	4,771	1,010	2,910	196,132 01	211,582 09	.....
1858	5,364	934	3,710	203,716 16	193,193 74	10,522 42
1859	6,225	1,097	4,538	245,942 15	210,278 41	35,663 74
1860	7,653	1,084	4,819	256,352 59	252,820 80	3,531 79
1861	4,643	700	3,340	137,354 44	221,491 91	.....
1862	5,038	824	3,521	215,754 99	182,810 39	32,944 60
1863	6,014	787	4,170	195,593 29	189,414 14	6,179 15
1864	6,932	1,063	5,020	240,919 98	229,868 00	11,051 98
1865	10,664	1,937	6,616	348,791 84	274,199 34	74,592 50
1866	15,269	2,723	9,450	495,665 38	361,724 28	133,941 10
1867	21,276	3,597	13,015	646,581 92	639,263 32	7,318 60
1868	20,420	3,705	13,378	681,565 86	628,679 77	52,886 09
1869	19,271	3,624	13,986	693,145 81	486,430 78	206,715 03
1870	19,171	3,273	13,321	669,456 76	557,149 19	112,307 57
1871	19,472	3,366	13,033	678,716 46	560,595 08	118,121 38
1872	18,246	3,090	13,590	699,726 39	665,591 36	34,135 03
1873	20,414	3,248	12,864	703,191 77	691,178 98	12,012 79
1874	21,602	3,181	13,599	738,278 17	679,288 41	58,989 76
1875	21,638	3,094	16,288	743,453 36	721,657 71	21,795 65
1876	21,425	2,697	17,026	757,987 65	652,542 60	105,445 05
1877	20,308	2,809	13,619	732,342 85	613,152 62	119,190 23
1878	20,260	2,755	12,935	725,375 55	593,082 89	132,292 66

CHAPTER IV.

THE TARIFF.

Now, the tariff is nothing but precisely such another indirect mode of taxation, and has its chief support in the absurd reluctance of men to look things boldly in the face and tax themselves directly for their necessary expenses. The other notion which sustains it — that it is a means of protection to the manufactures of a State — is simply an error of judgment; but the notion, that it is a legitimate means of raising revenue, is sheer absurdity. Both of these notions will have to be swept away with all other superstitions; and commerce between nations must be made as free as it is between our separate States, and as it was originally, before despots found it a very effective means in an indirect way to increase the revenues of direct taxation and plunder.

So far as our own country is concerned, we can effect this even now, at any time. It only needs courage. So far as other nations are concerned, the adoption of my international code by such nations as are desirous to join the proposed international federation would surely pave the way for free trade over the whole extent of the globe. The Geneva arbitration, in its settlement of the fishery question, has already shown — what, indeed, Cobden's Anglo-French alliance had before demonstrated — that this is not a visionary proposition, but easily made actual, and sure to result in prosperity for the people.

Indeed, it may be laid down as an axiom, that the prosperity of a country increases in proportion as all shackles on commerce and interchange between men are removed. The issue of paper money, such as I propose, is one of the means to remove them; the control of railroads, establishment of canals, and improvements of rivers and lakes is another; and the abolition of all duties, in every shape, is the third. It has so proved in the cases of England and France, as it has proved in our own case among the several States.

Indeed, one of the strongest arguments brought forward in behalf of this Union, at the time of its establishment, was, as I have stated before, that it would cement all the States together into one commercial free-trading body, — from the Atlantic to the Pacific, and along every point of the mighty Mississippi River Valley. Now, if there were any truth in the protection theory, would not this, our commer-

cial unity, of which we so loudly boast, be an unbearable curse? Ought not every State, nay, every county and every city in every State, be allowed to form a commercial unity of its own, and levy a tariff or octroi of its own, for its own exclusive benefit? But if this is not so, and if free trade is the proper principle for the thirty-eight States and ten Territories of this republic of ours, then it must also be the proper principle for our commercial intercourse with the other nations of the earth.

Originally, the tariff system was adopted by the founders of our republic in order to pay, by its means, all the expenses of government, without making the then new Union odious in the minds of the people by a direct taxation. It was this fear of directness which led to the establishment and continuance of the tariff. During the war of 1812, duties were increased to pay the expenses resulting from it, but soon after they were again lowered; and this policy was continued until 1860, when the average duties did not exceed fourteen per cent, a little higher than those of Great Britain, whereas now the average duties are fifty per cent, or nearly four times as much, — a most excessive and burdensome tax, levied in a burdensome manner upon the people, and costing many millions of dollars to collect.

It was the late civil war that again led to this excessive increase of duties, which now average fifty per cent on all dutiable articles, and weigh most oppressively upon the laboring classes of the country. Nor were the manufacturing interests slow to avail themselves of this new policy, and to accumulate vast fortunes by the profits thus opened to them.

These profits were naturally a tribute levied upon the people that had to purchase the manufactured wares. The people thus had to pay, and continue to pay, a double tax, — one to the government in the shape of duties, and another one to the manufacturers in the shape of increased cost of productions.

It is this inequitable phase of the tariff that has made it so odious as finally to arouse the people to emphatic protest against its continuance, and to a demand for the immediate removal of all shackles upon the commercial intercommunication of the various nations of the world.

To illustrate: In the State of Illinois there are 376,441 persons engaged in agriculture and 58,852 in manufacture, while in the State of Massachusetts 279,380 persons are engaged in manufacture, and

only 72,810 cultivate farms. The total value of all the products of the 376,441 Illinois farmers for the year 1870 is estimated at $210,860,580, thus averaging the annual earnings of every farmer at $560. For the same year the total value of all the products of 279,380 manufacturers of Massachusetts is estimated at $553,912,568, which leaves a remainder, after deducting the estimated value of materials used in the manufactures, — $334,413,982, — of $219,498,586, or an average annual earning of each manufacturer of $749.

Now, this would be perfectly fair and legitimate if the manufacturer of Massachusetts sold his wares at the same price at which the Illinois farmer could procure them from other sources. But this he does not. He sells them for about fifty per cent higher rates, and the United States government enables him to do so successfully by imposing a tariff of such percentage upon foreign wares of similar kind that seek a market here. The United States government thereby compels the Illinois farmer, whose annual earnings are only $560, to pay the Massachusetts manufacturer an average of fifty per cent more than a fair price upon his wares, in order that his annual earnings may realize $749. This is certainly not an equal administration of the law, and, besides being unjust, tends to the creation of those large manufacturing monopolies that, in the Eastern States, threaten the liberties of the people as much as the railway monopolies threaten those of the agricultural and commercial communities, and that grow powerful, as has been shown, by the indirect tax which a tariff enables them to levy upon the people at large by the increased price of their products.

But even in this protective element of the tariff its intended effect in some cases overleaps itself, and becomes ruinous both to the manufacturer and the consumer. Perhaps the most striking instance is that of wools and woollen goods, the duties on which now average at the enormous figures of from fifty to one hundred and fifty per cent *ad valorem*. If this duty did really protect manufacturers, how could it have come to pass that the woollen industry was never so depressed as at present, and that more people than ever wear woollen goods imported from foreign countries?

If the tariff really effected what it was intended to effect, — the fostering of our manufacturing interests, — how could it happen that in no recent period in the history of the United States have we had less

exports and more imports than we had in 1872, when the tariff system was most flourishing? The products of manufactures that we then exported were scarcely worth mentioning. Of the $176,000,000 increase of exports from 1860 to 1872, $170,000,000 were composed of breadstuffs, coin, provisions, lumber, etc., leaving only $6,000,000 of manufactured wares for those years under the operation of the high protective tariff that was to effect such magnificent results. Even our export of shoes had fallen off, despite the wonderful progress that had been made of late years in their manufacture. Thus, instead of making us more independent in industrial matters of Europe, the effect worked by a high tariff had been precisely the reverse, besides ruining our whole commercial marine, lowering the percentage of carriage of foreign trade by our ships from seventy-one per cent in 1860 to only about thirty per cent in 1871. And at the present time the German Empire, under Bismarck's direction, is seriously considering the proposition to shut off its ports against the commerce of the United States, by means of a high tariff, as the only effective protection against the high protective tariff of the United States, which virtually excludes importations from Germany.

Our trade with Southern Africa and La Plata is broken up because we cannot import the wool of those countries at the enormous duty now levied on it, and our ships cannot afford to carry there petroleum, fish, flour, etc., unless they have a return cargo. Our ships cannot go to Spain, Italy, West India, etc., because we cannot import salt with the present tariff, although imported salt is far superior to our own for the preservation of meat and fish. The importation of wool fell from eighty-eight million pounds in 1864 to twenty-three millions in 1868, and the importation of salt from four hundred and six thousand to two hundred thousand tons in the same time.

There ought to be really no dispute on this point. Historically, it was the principle of free trade which proved the most efficient agent in bringing the people of the old Confederacy to adopt the plan of the new Union. No argument appealed with so tangible a force to their apprehension of the vast benefits that must result from the Union as this one of the removal of all restrictions upon commerce between the several States of the Union in the way of duties and imposts. This great principle of free trade has since then extended

from thirteen to our present thirty-eight States, — States as industrially different from each other as they are when compared with foreign States, and embracing all classes and conditions of labor, — and still the same grand results of prosperity and comfort have followed it. No principle, again, was so effective in arousing the people at the outbreak of the civil war to resist the secession of any part of the country than this of free trade, and the consequent fear of having clogs put on the wheels of commercial intercourse by the success of the secession movement. The whole West protested against the notion of breaking up free trade on the Mississippi River. It would be a paradox to repudiate that principle in its application to foreign States.

Again, when the city of Chicago was burnt in that great conflagration, from the ruins of which it has in so short a time sprung up again in greater strength and beauty than before, the people of the suffering city immediately petitioned Congress to remove the protective duties on all the articles needed in the rebuilding, thereby acknowledging at once the great relief which that removal would extend to them. What grand benefits would be realized by all mankind if that removal of duties upon commerce could be made universal over the whole world, and thereby a main source of international hostility be removed! The adoption of my proposition for an international federation would doubtless bring this result about in a very short time, for every nation would perceive the immense advantages of universal free-trade upon its prosperity and wealth.

Meanwhile, in our own country it is within our power to take the initial step by abolishing our whole tariff system, with its frauds and oppressions, and creations of monopolies, as soon as we are able to pay off or redeem our bonds with the money of the country, to be issued for that purpose, as I have proposed should be done at the earliest day possible.

It is now very generally conceded that a tariff works gross injustice, operating as it does unequally upon citizens of the same State as well as upon the different States, and tending greatly to decrease international commerce. Let us take as an instance our commercial relations with Canada. In 1866 the United States government abrogated the reciprocity treaty of 1854, which had existed between this country and Canada, and imposed a tax of twenty-five per cent as an

average on articles that had previously been admitted free. The result was as follows: —

Year.	Imports to United States.	Exports from United States.
1853–54	$8,927,560	$24,566,860
1854–55	15,136,734	27,806,020
1855–56	21,310,421	29,029,349
1856–57	22,124,295	24,262,482
1857–58	15,806,519	23,651,727
1858–59	19,727,551	28,154,174
1859–60	23,851,381	22,706,328
1860–61	23,062,933	22,745,613
1861–62	19,299,995	21,079,115
1862–63	24,021,264	31,281,030
1863–64	38,922,015	29,987,147
1864–65	38,820,969	32,553,847
1865–66	54,714,383	29,356,572

This shows that under the free-trade principle our imports from Canada increased from about nine millions in 1854 to six times that amount in 1866, and that, according to the same ratio of increase, our imports ought to amount now to about $125,000,000. But, instead of that, they are considerably less than they were in 1866, as the following table will show: —

Year.	Imports to United States.	Exports from United States.
1866–67	$33,604,178	$24,323,169
1867–68	30,362,221	26,262,272
1868–69	32,990,314	25,197,232
1869–70	41,089,801	26,849,324
1870–71	37,424,351	34,502,726
1871–72	40,961,432	32,759,080
1872–73	43,809,070	38,572,556
1877–78*	48,000,000	25,000,000

* Estimated.

This, however, is only one item; for it must also be observed, that whereas during the first ten years of the operation of the reciprocity treaty our exports to Canada exceeded our imports by $62,013,545, the abrogation of that treaty turned the balance of trade steadily against us. Then, again, those imports are mainly composed of ordinary necessaries of life: lumber, coal, wool, fish, breadstuffs, grain, flour, cheese, vegetables, and animals of all kinds; articles which Canada now exports to other countries, that are sensible

enough to gather in the profits which we now foolishly deny to our traders by the bar of a tariff, and which are specially demanded by that section of our country which in the East most closely adjoins Canada. Is it a wonder that such an unnatural state of things encourages one of the meanest crimes, — smuggling, — and in this way tends to corrupt the whole border population of our Northern States? But another instance of the gross inequality which the tariff system works upon the different sections of our country is thus aptly summarized by a recent writer on the subject: —

"We proceed to show how the national burden is borne by the leading States of the East as compared with the leading States of the West. The following table gives the population in 1870, the wealth, and the amount *per capita*: —

States.	*Population.*	*Wealth.*	*Per Capita.*
Massachusetts	1,457,351	$2,132,148,741	$1,456
Rhode Island	217,353	296,965,646	1,366
Connecticut	537,454	774,631,520	1,441
New York	4,382,759	6,500,841,264	1,483
New Jersey	906,096	940,976,064	1,038
Pennsylvania	3,521,951	3,808,340,112	1,081
Total	11,022,964	$14,453,903,347	$1,311

"In contrast with these States take the following six leading States of the West: —

States.	*Population.*	*Wealth.*	*Per Capita.*
Ohio	2,665,260	$2,235,430,300	$839
Illinois	2,539,891	2,121,680,579	835
Missouri	1,721,295	1,284,922,897	741
Indiana	1,680,637	1,268,180,543	755
Kentucky	1,321,011	604,318,552	457
Michigan	1,184,059	719,208,118	607
Total	11,112,153	$8,233,740,989	$741

Excess of people in the West, 89,189. Excess of wealth in the East, $6,220,162,358.

"This gives nearly one per cent more of people in the West, and seventy-seven per cent more of wealth in the East. So that, in proportion to wealth, the national treasury receives $1.77 from the West for every $1 received from the East, making no account for the difference of population.

"But this is not all: the average rate of all our imports and excises is, say, sixty per cent. On whiskey it is two hundred. On blankets,

flannels, broadcloths and pilot-cloths, cassimeres and doeskins, woollen dress-goods, silk manufactures, gunny-bags, and cloth, the rate ranges from sixty to one hundred and forty per cent, it being but sixty on silks. Importers and producers pay the duties in advance, and therefore sixty per cent more of capital is required in trade, in production, and in distribution through the wholesale and retail dealers.

"Without imposts or excises, the cost of products to the consumer would be as follows: —

First cost to importer or producer	$1 00
Ten per cent to importer or producer	10
Ten per cent to wholesaler	11
Twenty per cent to retailer	24
Total under free trade	$1 45

With duties at an average of sixty per cent, the cost is: —

First cost, as above	$1 00
Duty	60
Percentages, as above	72
Total	$2 32
Total under free trade	1 45
Extra cost on account of duty	87

"Thus, under our system of taxation, it costs the people of the country $127,000,000 to get $100,000,000 into the treasury. This shows the great wastefulness of the system. By increasing the amount of capital required in trade and the industries fully sixty per cent, it throws business into fewer hands, thereby diminishing competition and increasing the cost of products to the people. Hence, in this regard it is a swindle of sections with less property, and still more of persons of little or no property.

"As it costs the West seventy-seven per cent more in supporting the government than it costs the East, in proportion to wealth, seventy-seven per cent must be added to the cost of the profits to importers, producers, and dealers, on products consumed in the West. This gives $147,790,000 as the cost to the West on $100,000,000 of revenue. To this add the $77,000,000 extra cost of $100,000,000 of revenue, on the score of seventy-seven per cent less property, and we have displayed the inequality of the system in the proportion of $229,790,000 to $127,000,000 as between the West and the East."

In conclusion, let me ask: How did the notion of obtaining revenue by means of a tariff first arise? It is simply a relic of barbarism, and traces its origin to the worst period of the feudal age, when each petty owner of a castle on a crag adjoining a highway stopped the luckless commercial travellers that were compelled to pass through his domain, and forced them to pay what he dignifiedly called a tribute, for the privilege of passing on without broken bones, mutilated noses and ears, and other like amenities. Ought the American nation to perpetuate such a system of public robbery, especially when that nation itself never would have been brought into existence but for the purpose of abrogating that system? And the internal-revenue system, with its taxation on beer, highwines, tobacco, paper, etc., is but another form of the same system of public robbery.

As matters stand under the present tariff, each reader of a newspaper, or of a book, as well as each writer, from the most gifted author down to the scribbling school-boy, is robbed of an extra charge on the paper he uses, for the benefit of a very few paper-manufacturing monopolists; and the consumer of any kind of iron-ware, from an iron spoon up to a ponderous locomotive, is in the same way tariff-taxed for the benefit of a few iron-manufacturers.

A system so iniquitous in all its features, assuredly should be abrogated without further argument or discussion.

CHAPTER V.

CONCLUDING REMARKS.

With all the objections to our present mode of taxation and to our revenue system, outlined in the foregoing chapters, it is certainly surprising, that no steps have as yet been taken to establish an absolute system of taxation, operating equally upon all citizens, such as I have suggested in the substitution of an income-tax, judiciously graduated, to take the place of the countless oppressive modes of taxation now resorted to.

I am well aware that no system is more unpopular as yet, and that an income-tax is here, as well as in England, the *bete noir* of taxpayers. They will uncomplainingly pay enormous rates of taxation

when levied upon them through means of a tariff and internal-revenue taxes on spirits, beer, wines, tobacco, and all the other articles on the prescribed list; nay, there is even comparatively little grumbling when taxes are levied on their real property. But direct taxation on their annual income is held in holy horror, even by the agricultural classes, who suffer most under the present system. It is impossible to make the farmers understand that they are specially interested in having such a graduated income-tax established, and that they are the chief sufferers now, when they must pay full taxes on their real property, while the owners of personal property and the professional recipients of lucrative incomes in cities pay only a small part of the amount they ought justly to pay, and rich and powerful corporations and monopolies pay still less in proportion, or contrive to escape taxation altogether, even like the bondholders.

But in order to make my proposed system of an income-tax perfectly effective, its establishment must be accompanied by measures which will render it impossible that taxation should ever become so oppressive as to lead to repudiation of taxes altogether. Make a tax oppressive, and it will bring in next to nothing. A heavy tariff is as good as no tariff at all, so far as the revenue is concerned, since it almost necessitates smuggling,— a source of general demoralization,— and thus the employment of a number of detectives, whose salaries swallow up whatever duties are collected on the goods not smuggled in. An oppressive tax on the valuation of real or personal property inevitably leads to lying and false swearing. Unjust and extravagant taxation, finally, which arises from the incurrence of exorbitant public debts by cities, counties, or States, leads to general repudiation. These are facts which it is impossible to dispute, and which no legislation, however skilfully applied, can remove. The only remedy is to extirpate that general aversion to the payment of income-taxes which thus drives otherwise honest men to perjury and repudiation, by removing its causes: the injustice of the present mode of taxation, and the oppressiveness of the taxes themselves. The former object we can accomplish by substituting general income-taxes for the numberless modes of taxation now in force; the latter object necessitates legal measures, that may at the moment seem altogether incompatible with our American notions of the powers inherent in every municipal government, but which, I believe, will prove indispensable in the removal of one of the most serious evils under which

we suffer. Every State constitutional convention hereafter assembling should prohibit the State itself, and every county and city within its limits, from contracting any further bonded debts. If money is needed for public improvements, let the amount required be raised at once by taxation. It is absurd to argue that the tax-paying people would object to such a procedure, on the plea that the future generations ought to bear a part of the expense incurred by the present age for permanent public improvements; for this proposition involves as great a mathematical fallacy as ever was proposed. For it is very evident that a generation of thirty years must pay a public debt thus incurred, not only once, but twice or threefold, as interest, and then turn it over unpaid to the coming generations. This is especially the case where the rate of interest is so high as it is in the United States.

With the exception of a few favorite municipalities, a city or county which issues bonds for some scheme of public improvements — generally put forward in the interest of contractors — has to pay from eight to ten per cent interest (counting in commissions).

Now, the interest on such a bond will equal in from seven to ten years, and more than equal if compounded, — that is, if new bonds have to be issued for the payment of the interest, as is usually the case, — the entire sum of the principal loan. Hence a thirty years' generation will have paid in that time more than three times the amount of the debt in interest, and still leave the debt unpaid.

In short, the only honest, and at the same time most economical system for the administration of public finances is the same as that for the management of private finances, — always to live within our income, and never to borrow money for the improvement of our property. Put aside the interest, and in a few years there will be money enough in the treasury to pay for the improvements.

But there is still another feature connected with the tariff system which deserves special attention at the present time.

By keeping up our present protective tariff we unite all Europe against our exports, as a sort of retaliatory measure. The German Empire, which suffers the most from our tariff system, naturally leads the van; and, as I have said before, it is no longer a diplomatic secret, that Bismarck is agitating a united European blockade against American commerce, just as Napoleon blockaded that of Great Britain in 1807.

INTERCOMMUNICATION BY THE PRESS.

CHAPTER I.

THE PRESS.

The original conception of a newspaper was, as its name indicates, that of a publication which should contain the authentic and latest news of public interest that could be ascertained and collected for circulation. Prior to the invention of types for printing, such papers were written and copied for distribution, necessarily to a very limited extent. But since the discovery of the art of printing and the application of steam as a motive power for the printing-press, the publication and circulation of newspapers has assumed vast proportions, as a general means for intercommunication between all citizens and peoples.

This most wonderful discovery of modern times for the general dissemination of intelligence throughout the world has thus multiplied the old methods of communicating ideas and news more than a million-fold, illumining the darkest districts of the world, and opening to the people a new era of universal intelligence, instruction, and progress. So long as these newspapers were managed simply for the dissemination of truthful information, their influence was always in favor of the freedom of the human race; but the extraordinary extension of the circulation of printed newspapers initiated a great change in their nature and character. Formerly, men who, from their high culture and wisdom, felt authorized to give publicity to their individual opinions on public questions, did so in pamphlets, over their own signatures. The newspapers had not yet attempted to control public opinion for private personal aggrandizement or persecution, and the pamphlets exercised no further influence than the strength of their facts or arguments justified. Their readers were invited only to the exercise of self-thinking and individual judgment.

CHAPTER II.

THE DEMORALIZATION OF THE PRESS.

During that first period of its existence, while the newspaper remained the faithful advocate of the eternal truths of human liberty and progress, and the medium of truthful news from all parts of the world, it was a great public blessing. It then had no essential connection with the publisher, who was only expected to have a talent for the organization of news-gathering, and the editorial columns were open to the most learned men and scholars of the age for comments upon all new discoveries, reforms, and other matters of public concern; but as the circulation of the newspapers extended,—partly owing to an increased desire of the people for the latest news, and partly to the introduction of business advertisements,—and as their proprietors thus grew rich and powerful, it occurred to them to increase their power by making the newspaper not only a vehicle for news, but also for partisan comment upon all questions. This was especially notable in those countries that encouraged opposing political parties, like France, England, and the United States.

Thus the owner of an established journal would increase the circulation of his paper by permitting it to become the "organ" of a political party, or some ambitious partisan would purchase or set up a newspaper to communicate his views and direct the judgment and opinions of the multitude for his own aggrandizement; both parties accomplishing their objects under the impersonal name and character of a "Globe," "Post," "World," "Times," "Enquirer," "Argus," etc.

When this state of things began to develop itself, the issuing of pamphlets, wherein important political questions could be discussed in a thorough and statesmanlike manner, gradually ceased, and in their place came the flippant, abusive, scurrilous, and irresponsible "editorial." It is only in France that this department retained character and responsibility, in the requirement of having the author's name attached to every article.

In Great Britain and the United States, however, the editorial was used to a great extent simply as a party instrument; and, as its license grew by toleration, became soon a means whereby to vent all the

personal favoritism or malice which the proprietor or his friends might entertain towards any one of any party.

The inherent love of scandal, of reading vile charges against a neighbor, which animates all base characters, lent a support to this department of the newspaper, and in course of time made it a prominent feature. The paper now was read, not so much for the news it contained as for the malice of its editorials, or the spitefulness of its local paragraphs. Private life became grossly and indecently exposed to public animadversion in the press, and the most insignificant scribbler of items usurped the power to make a sensitive person's existence insupportable, and to destroy the best man's reputation by continued scurrilous mention. This sort of newspaper poisoning and assassination has grown so common, and is carried on so audaciously by mendacious, blackmailing, piratical newspaper buccaneers, that nowadays our noblest minds and best scholars shrink from entrance into public life as from a pest-house.

Whenever a growing despotism or monopoly intends to usurp powers that are granted to no individual person, it hides its serpent's coils under the mask of an assumed impersonal name. The editors of this class of newspapers found this impersonal feature ready at hand in the title of their organs. This feature they therefore retained and impressed into their use. It was no longer the individual Mr. A. or B. who uttered an opinion upon matters modestly over his own name, but an impersonal oracle, a "Mercury," or "Sun," or "Independent," that thundered forth its denunciations with the tone of an inspired prophet, and as the legitimate and recognized expounder of universal public opinion.

The unknown always excites fear; all superstition has its root in, and thrives upon this cowardly fear of the unknown. Now, the newspaper has become, in its worst specimens, very similar in its terrors to such an unknown power, — of uttering, in grandiloquent phrases, its hurtful praise, its ill-considered judgments, its slanders of good men, and its personal malice.

One needs but to turn over some of the specimens of this class of papers of the past, and glance at the venomous slanders and scandals raised against Washington, Jefferson, Madison, Hamilton, Paine, Adams, Jackson, Webster, Calhoun, Clay, Benton, and others of our noblest patriots, to realize the extent of shamelessness to which this was carried on, even in the early times of newspaper development.

Nor was there any redress; for if any outraged person appealed to the law for protection, the newspapers of this class, however much opposed to each other before, straightway combined to raise a hue and cry against the injured man, as one who would interfere with the "liberty of the press!"

For this impersonal title of "the press" had been invented and was now used to cover the multitudinous impersonalities of all newspapers whatsoever, uniting them, for popular effect, under one general organization, claiming immunity from all control of the law; and thus a few publishers and editors of that class — few in comparison with the millions of other citizens — were gradually allowed to usurp a license and tyranny which has become one of the most distressing features of our age. Not only does it deter the wisest and purest men of our nation from entering into public life, but it enables demagogues to take State and Federal offices, upon pledges that they will support the monopolists, the party, and "the press."

In monarchical countries the governments no sooner became aware of the despotism of "the press" than they hastened to check it by an exercise of their own tyrannic power, either by suppressing the newspapers altogether, or by establishing a censorship over them. As a further protection, they have frequently established official newspapers of their own.

But in our country the worst class of such newspapers have had the broadest scope for mischief imaginable; each party organ endeavoring, to the best of its ability, to misrepresent the actual news, or facts, when considered adverse to its own interests or the interests of its supporters, and imposing upon its readers by the assumption of the royal "WE," as if it were the sole organ of "the press." At the same time the indiscriminate publication of all sorts of so-called news, consisting chiefly of reports of immoral fictions, of adultery, seductions, rapes, robberies, and murders, has had such a tendency to deprave the minds of the people, brutalize their tastes, familiarize them with crime, and confuse their moral judgments, as to excite the liveliest apprehensions of all good men, parents, and guardians concerning its demoralizing effects upon the rising generation.

True, there have been at all times, and now are, many noble exceptions in "the press," just as there are among the money and railway despots; but I have described the general system of partisan publication, it being the object of this work to expose all forms of

despotism and monopoly, and their principal agencies, under whatever cloak they may try to hide themselves.

To what extent the evils attendant upon this form of abuse of public intercommunication by "the press" can be checked and punished by law, is a question that deserves the most serious consideration of every friend of genuine individual freedom; for only by its effective check can each individual be secured in that sanctity of private life which to most people is of the most inestimable value. This is not the place to point out what legal methods might be employed, and these historical and critical remarks have been made simply with a view to introduce to public consideration an important affirmative duty of a rational State organization. I may, however, point out one such method: a means which is, in fact, prescribed by the duty of perfecting the public intercommunication between its citizens by the publication of daily official newspapers, so as to furnish them an authentic history of the events of each day, without editorial comments, and without any charge or expense to the citizens.

CHAPTER III.

A DAILY NATIONAL NEWSPAPER.

It is the duty of government to make known all its laws, official and judicial decisions, and public proceedings, at the earliest possible moment, to all its citizens, since no one should be required to obey laws of which he has had no reasonable opportunity to inform himself. And when the government assumes, as I propose it should, control of all the methods of transmitting news, it becomes a duty for it to make known to the citizens at once all the news communicated from any part of the world.

Government ought not to leave this important branch of intercommunication to private citizens or monopolies, whose self-interest or corrupt motives may be in direct opposition to the welfare of the people; partly for its own sake, since it is primarily interested in a continuous and reliable transmission of news from all parts of the world, and partly because it is bound to protect the people against false information or imposition on matters so important to their gen-

eral welfare. Besides, as under the system of government advanced in this work, the national government would obtain exclusive and absolute control of the telegraph, it alone could guarantee the correctness of the news received by that great medium of transmitting information; and yet it could do this vastly cheaper than it is possible to do it under the present system.

The government of the United States should, therefore, establish a daily newspaper publication, by means of which to make known to all citizens: firstly, all measures, decisions, laws, proceedings, and accounts of its various departments, so that no one can plead ignorance of their existence or be debarred from the strictest scrutiny into their nature; and, secondly, all the news that may be transmitted by mail or telegraph to the various departments of the government.

By such a daily publication, all the official acts of our government and of foreign governments concerning the public interests; all stock quotations, prices of products, etc.; each new financial regulation; every change in the money-issue; all new laws made, or proposed to be made; all acts, decisions, measures, and proceedings of the various departments, offices, and bureaus; all governmental contracts; all accounts of expenses, classified for publication at stated intervals; all sales of public lands, of property, etc.; all patent-rights granted, extended, or renewed; all advertisements of contracts; the weekly imports and exports, and other matters appertaining to the administration of our public affairs, would be accurately communicated to the public at large in the most authentic and prompt manner. Moreover, all the scientific discoveries of the universities, academies of science, State and National institutions, etc.; all reports of weather, of electric and magnetic phenomena; of scientific, educational, hygienic, and commercial news, analytically classified and indexed at stated periods, would thus be made immediately and generally known.

This daily newspaper would thus become, of necessity, the vehicle of publishing *annual* official statistics for the whole United States. The last census has abundantly shown — if it had not been known before — that a ten-year census is an absurdity, especially for a nation so growing and expansive as that of the United States. We need a census every year; and if the national government undertakes such a census, the several States, their counties, cities, and school-districts, may be very advantageously relieved of a useless and financially oppressive burden.

Such a national newspaper, therefore, in addition to furnishing the people with accurate statements of all news and events transpiring in the world, would give publicity to all the expenses, income, contracts, and transactions of all departments of the government, and enable the citizens to detect all errors, extravagance, and defalcations in official statements of accounts, whereby the present alarming frauds perpetrated on all sides would be effectually arrested and prevented.

By this simple measure of giving the public full knowledge of all official operations, and three months' notice of all new laws proposed to be presented at the next succeeding session of Congress, the whole rotten system of class legislation, moreover, would be terminated, and the principal causes of official demoralization removed. Nor would judges be longer kept in the dark for months, as they often are now, as to whether or not certain acts of Congress have been passed, etc.

In like manner, each State and populous municipal corporation should have a daily newspaper, to be conducted upon similar principles and for the same objects, without any editorial comments. It is the truth the people want, and they should be protected from the organized mendacity of the corrupt portion of "the press" by a truthful publication of all matters of public concern, so that they may form their own opinions, and examine thoroughly for themselves all questions, accounts, and things whatsoever concerning the operations of the State and Federal governments.

Such a system of official publication would render impossible the occurrence of such scenes as those reported in the proceedings of the United States Senate a few years ago, during which Senator Morrill submitted the following as a substitute for the resolution of Senator Davis: —

"*Resolved*, That a committee of three be appointed to investigate the finance reports, books, and accounts of the treasury department, particularly the reports of 1869 to 1872, inclusive, to ascertain whether or not any actual differences or discrepancies exist, and also whether or not any alterations in the amounts or figures have been made, and report the facts to the Senate; and that said committee shall have power to employ a stenographer as clerk, who shall be paid out of the contingent fund of the Senate, on vouchers approved by the committee."

Senator Davis spoke at length, and in closing said the facts and figures, all taken from the official reports, clearly establish—

1. That differences, changes, and alterations involving millions of dollars have been made in the annual finance reports, after being officially reported to Congress.

2. That ex-Secretary Bristow and the Finance Committee admit that they were made between the years 1869 and 1871, without explanations, and without authority; and the reasons for making them ought to be known.

3. That the annual finance reports to Congress substantially agree up to and including the year 1868, and from 1871 to the present, as to the public debt, expenditures, and the receipts of the government, but between these years they differ widely.

4. That in 1870 the register of the treasury was directed to restate the public debt and expenditures from the year 1835 to 1870, according to a statement sent him from the secretary's office, and not according to data or books in his office.

5. That between the years 1869 and 1871, the secretary's new tables, remodelling the public debt and expenditures of the government, first appear in the finance report, which makes these changes and alterations, and increases the public debt and expenditures more than $100,000,000.

This one fact alone speaks volumes in favor of the establishment of an official newspaper on the principle suggested by me. In this, as in every other instance of similar enterprises of public intercommunication, it would soon appear that a government of the people, working for the people, can work twice and three times as cheap as corporate bodies working only for themselves, and only with a view to increase dividends on "watered" stock.

POLICE, PASSPORTS, AND REGISTRATION.

CHAPTER I.

THE NECESSITY OF A FEDERAL POLICE.

The object of the criminal laws of the State is to secure the citizens against fraud and violence, by providing for the arrest and punishment of offenders. The object of a police system is to prevent the fraud or violence from being committed, and also to aid in the arrest of all criminals. It is far more important to the welfare of citizens that an offender should be prevented from committing a crime than that he should suffer punishment after its commission. Hence the purely negative code must be aided by a positive one, establishing such regulations as may be necessary to render the commission of offences almost impossible. Such a positive code is called police-law, — the law of prevention.

Every well-regulated State is therefore bound to establish such a police-law, and organize a special department of police, passports, and registration to carry out its provisions. In proportion as this department is conducted so as to be most effective and least oppressive, will it best subserve the purposes of its creation. Its very objects require it to be exacting, and to demand from all citizens an observance and obedience to all regulations that are essential to carry out its purpose to prevent crime. For men cannot penetrate the motives of others, or foresee the designs of strangers coming into a neighborhood, unless they know the antecedents of such strangers, their residence, occupation, age, name, and purposes. For this reason the police must be empowered to ascertain these facts and verify them, and all persons should be required to submit to the necessary precautionary examination, whether they have any criminal intent or not. Such a thorough police-department is particularly necessary in our States. Free of access and open to all new-comers, as all our

counties and cities are, — no inquiry being anywhere raised as to the real name, character, or occupation of the new resident, — crime enjoys here unusual advantages and immunities; and not only are many crimes committed, but in most cases the criminals escape or go unpunished. On the other hand, the individual efforts that have been made to prevent and punish crime by the organization of private police corporations, styled "detective agencies," have but too generally succeeded in defeating the purposes for which they were created. For, being under no control of the government, and owing no reports to the law, their whole aim and object has been to make as much money as possible, — an aim and object utterly incompatible with the conception of a true police-system. This has worked great wrong in two ways: Firstly, it has led to the vicious habit of compounding felony with nearly every criminal whose position in life, adroitness, and extent of theft made this the most profitable arrangement; the defaulter or robber of $300,000, for instance, retaining $100,000, and restoring $200,000 to the party robbed, who is rejoiced to get back two-thirds of his stolen property, even though he have to pay, say, $50,000 of it to the detective agency that so cleverly managed the business. Secondly, it has led to the extension of the odious system of blackmailing, beyond any limit before thought possible. The detective agency, being purely a money-making establishment, naturally set all its sharp wits to work to discover new ways of making money and adding to the dividends of the detective corporation. It quickly discovered a very remunerative way of this sort, in setting its agents to pry into the private affairs of people; and from the scandal thus collected, to select such information concerning shy and easily frightened people as might produce large rewards if the publication of the scandal were withheld.

It is quite true that the organization of a State police which shall at once fulfil its functions effectively, and yet leave to the individual unimpaired freedom under the law, is one of the most delicate tasks intrusted to the law-giver, and that the inherent difficulty of the task increases under a republican government. Nevertheless, we have been extremely unsuccessful in our establishment of a police system.

Our Federal police is, in point of fact, merely a private detective agency for revenue and postal purposes, having all the odious features of secrecy and espionage about it without any protection to life or property, and lacking all the essential elements of proper

organization and supervision. It has thus become open to the most scandalous abuses; gangs of counterfeiters, mail-robbers, etc., notoriously buying off detectives, to let them carry on, undenounced, their criminal occupations.

The States themselves have no police system at all, and rely altogether upon private or municipal corporations to do that which is essentially the duty of the State. This deficiency leaves, of course, all the smaller cities, villages, and agricultural districts open to the unchecked violence and villainy of the thief, robber, and murderer; for only large cities can afford police forces, and private police corporations find it profitable to carry on their business only in large cities. Hence the terrible crimes in the country districts that so often startle the community, — the assassinations, the rapes, the railway train robberies, the horse-stealing, that surprise us where one would least expect them. Such horrible tragedies as the Benders perpetrated in Kansas — who came, unknown, settled down on a lonely tract of land, and built upon it a small log tavern, butchering almost every day some unsuspecting traveller that came in for rest or refreshment — should not be possible at all in a well-organized State. No State can possibly protect its citizens in their lives, liberty, and property that thus permits everybody to settle down anywhere without knowledge of their real names, former residence, character, or occupation. The issue is simply this: whether we shall continue to expose our lives and property to constant danger, or submit to some slight inconveniences, that are absolutely necessary to avert that danger.

The police of municipal corporations, finally, — the only legal police we have, — has grown up in such an unsystematic, fragmentary sort of way as to be in one respect singularly inefficient, and in another oppressively tyrannical. It has neither the powers it ought to have, nor is it debarred from exercising the powers it ought not to have. Policemen have shot down — brutally murdered — men simply for not obeying their call to halt; while, on the other hand, they allow the most flagrant vice and crime to advertise their trade in the open streets. Horse-cars, omnibuses, and other vehicles run over and kill hundreds of people yearly in our large cities; other hundreds break their limbs or necks in walking public streets that are wholly insecure; and wild cattle, running loose or driven through the public thoroughfares of our cities, gore men, women, and children nearly every day; the police all the while looking on unconcernedly, while

wasting time and attention by making raids on gambling-houses and dragging the lowest classes of loafers and harlots before a police magistrate for a periodical fine.

To remedy this state of affairs it will be absolutely necessary to establish for every State a thorough police-force, under the direction of a chief department specially created for that purpose. This organization should have its representatives in every township of the State, in every village, and in every block of a large city, all in constant rapport with each other. It should have abundant power to carry out its objects, and yet be sufficiently checked, not wantonly to interfere with men's lawful rights and liberties.

From such a police organization all features of secrecy and mystery should be strictly excluded. No operation of the State should need a mask or require concealment. The State has an absolute right to demand of each citizen his name, antecedents, occupation, character, and residence. It is an utter impossibility that the State should be able to meet its obligation to protect every citizen unless this right is conceded.

CHAPTER II.

THE NECESSITY OF REGISTRATION AND PASSPORTS.

It must, therefore, be made absolutely impossible that any person can arrive at and take up his quarters in any township or village, or in any part of a city, unless the police are immediately advised of the fact of his arrival, his name, residence, occupation, and proposed destination. If it is found necessary that a system of passports is indispensable to secure this object, such a system should be at once introduced. The notion of passports may seem very objectionable to us nowadays; but really, when calmly considered, the passport system does not infringe on our individual liberty of intercommunication to any serious extent, while it certainly affords it fuller protection than could be realized by any other measure.

Surely every citizen of a State desires freedom to go to any part of that State, and be protected on the way against violence and fraud.

But how can the State protect him when its police are unacquainted with the names, occupations, and destinations of all other citizens with whom he may come in contact? Hence he himself and all others must be made subject to some measure that shall effectually make it possible for the State to obtain that knowledge whenever needed, and no measure is so adequate for this purpose as the passport.

If the name "passport" is held objectionable, some other name can easily be invented, and the instrument itself can be rearranged, with the application of modern science, so as to take away from it all the features that formerly made it odious. A small printed card, with the photograph on one side, and the name, occupation, age, and residence of the owner, leaving the necessary blanks to be filled, on the other side, and the seal of office affixed, with the date of issue, would serve all purposes, and could easily be secured against counterfeiting.

Such a passport system can, moreover, be very readily combined with the existing registration system for voters, making the latter far more adequate to subserve its purposes. It is a notorious fact, that under the present system of registration fraudulent votes are cast at every election. People vote who have no right to vote; others vote two, three, or more times at the same election; and the police are powerless to prevent the outrage. Nobody knows all the men who offer their votes, — neither their name, their occupation, nor their residence.

Under such a system as I propose, it would be impossible for the murderers, house-burners, forgers, and other criminals that prey upon society to carry on their nefarious trades unperceived. Nor would such a system of passports and registration allow the sudden vanishing of men from our midst, no one knowing when, where, or how they vanish. What unknown, dreadful crimes may envelop the many inexplicable sudden disappearances of well-known persons from the midst of their friends! A few years ago a woman was found dead in her house in New York, *five weeks* having elapsed since her death or murder, and her body too decomposed to show whether murder had been committed or not. And this is by no means an isolated occurrence. Nearly every week we read of mysterious disappearances of rich or influential persons, — abductions of women, of chil-

dren, — and it rarely happens that those mysteries are solved. Ought such occurrences to be possible under proper police administration?

What carelessness, again, is more culpable than that which permits our boats and ships to leave their harbors without rendering a full list of their passengers? How many families linger in agony when the news of a shipwreck is borne to them, and no list of the ship's passengers can be obtained anywhere. How many persons plunge annually from our steamboats into the waters of our rivers and lakes, no one knowing their name or residence! How many unknown individuals are killed annually on our railroads, no railroad company keeping a list of its passengers, their names, residences, or destinations!

A well-considered system of passports and registration would speedily put an end to this state of things, and amply repay, by the benefits conferred in personal security of ourselves, our friends, and relatives, for the first slight annoyances it might give occasion to; and it would have the additional advantage of protecting every holder of such a passport against the unjustifiable annoyance to which men are subject from the police under the present loose system. The violation of the rights of personal liberty and security in one's own house against police entrance and search would no longer be possible; and to the additional security conferred would thus be added far greater protection against unjustifiable, illegal, and despotic acts of the present irresponsible police administrations in the cities.

CHAPTER III.

THE SUPERIORITY OF A NATIONAL POLICE OVER A NATIONAL ARMY.

There is one other consideration which ought to plead strongly for the establishment of such a thorough police-system as I have herein set forth. We maintain at present, at a large expense, a Federal army of some twenty-five thousand men. The following are the exact figures: —

The army of the United States, on the 15th of October, 1879, consisted of the following forces, in officers and men: —

	Officers.	*Enlisted Men.*
Ten cavalry regiments	430	7,206
Five artillery regiments	278	2,387
Twenty-five infantry regiments	851	10,973
Engineer battalion, recruiting parties, ordnance department, hospital service, Indian scouts, West Point, and general service	608	3,696
Total	2,127	24,262

The amount expended on the army for the year 1879 was $40,425,660. Now, for all the purposes of an army this body of men is virtually useless; and, while it is so useless, it is surrounded, so far as the privates are concerned, by an atmosphere of degradation, which still further increases its inefficiency. It is a notorious fact, that to enter the United States army as a private is considered equivalent to relinquishing all claim to social respectability. Hence, while the police authorities of our large cities can command the services of the best class of men available for their purposes, the United States army must be content with the poorest material. On the other hand, though it may seem paradoxical, there is a strong feeling amongst the American people of jealousy toward the United States army, — a feeling which also tends much towards increasing its inefficiency.

Now, it seems to me, that if we were to convert our army into a civil police-force, we should remove that jealousy and at the same time ennoble the service. We might thus secure a first-class Federal police, and remove that anomaly from our service, a military body of men not subject to the civil law.

There are three duties on which our present army is detailed: First, to protect our Western settlements against the Indians; second, to watch our Southern frontier against Mexican raids; and, third, to do garrison duty in various places, where they may be readily called upon to suppress local disturbances, as in the case of the recent strikes. For all three purposes a police force would, I think, be more efficient than our present army force has shown itself to be, and certainly far cheaper, for it could not possibly swallow up $40,000,000.

So far as the Indian problem is concerned, it is notorious, that

the army has singularly failed to achieve satisfactory results. Our dealings with the Indians, mainly conducted through the army, have been as disgraceful to us as our armed conflicts with them have been disastrous to our soldiers. The blood of those soldiers has been shed in vain on the lava-beds; their bodies lie buried unavenged under the green prairie sod; and, worst of all, the great majority of the American people, however full of pity for the fallen brave of their own race, feel in their conscience bound to acquit the Indians of unprovoked aggression in these slaughters. The Indians have been so maltreated, notoriously so badly dealt with, that we cannot withhold from them a certain sympathy. Now, across the Canadian border, under British rule, where a police force regulates Indian affairs, they have escaped all such unfortunate collisions, to the great satisfaction of both Indians and whites. But if our neighbors, the Canadians, find a police system sufficient and satisfactory in their dealings with the Indians, why should we not be able to do the same? So far as the Mexican border is concerned, I see also no objection to the employment of a police instead of an army force. The police would, of course, receive a military training, but its character as a civil organization, under the control of experienced police-officers, would give it many advantages besides those already mentioned, in dealing with the desperadoes of the border, and remove all the dangers of an undesirable war, which is so apt to be the result of a collision between the armed troops of two neighboring nations. In saying this, I do not argue against the propriety of a war against Mexico, which might put an end to its condition of chronic anarchy; but such a war should be the result of mature deliberation. Indeed, those disturbances on the Mexican border are so clearly in the nature of thieving and plundering exploits, that they would be very properly consigned to a police force. The bands that organize them are simply robbers, and should not be treated as the constituents of an army. By treating them simply as criminals, we should avoid at the same time possible military and political complications, and afford to our settlers on this side of the border a better protection against robbery and pillage than they now receive from our army.

Finally, for the suppression of disturbances in the interior, of mob rule and insurrection, there is positively no other remedy than an efficient police, aided by a thorough passport and registration system. The terrible occurrences of the "strikes year," the out-

rages committed in the Pennsylvania mining-districts, as well as the bandit organizations that have of late sprung up in various parts of our country, and with unparallelled boldness and success have plundered bank vaults, railway trains, and terrorized various sections of our country,—all these phenomena of a community suffering still from the demoralization attendant upon a civil war, and the universal financial distress which has afflicted us ever since 1873, make the establishment of such municipal, State, and National police bodies as I have herein suggested an absolute necessity of the times.

That this problem of securing complete protection against internal disturbances cannot be attained by our army over so vast an extent of country as that of the United States has been abundantly shown, ever since those disturbances have become one of the features of our times. Nor are armed troops likely to be ever effective in securing the purity of elections, owing to the jealousy of the American people, which is ever aroused by military interference at the polls. In fact, the same jealousy is manifested by the people of Great Britain whenever the soldiers are called out by the government to suppress a riot, or even to keep order at a strike; and even in soldier-ridden Germany, as well as in France, this feeling towards the standing army is happily beginning to take root.

There is no alternative, therefore, if peace is to be preserved. We must have an organized police-force, municipal, State, and National, obedient under civil legislation, but always ready, not only to cause crime to be punished, but also to detect plans for the commission of crime, and to prevent their execution. Such a police might be efficiently supported by a number of picked men in every county in the country, and every ward of a city, upon whom the regular police-force could call in emergencies for assistance. This would lend additional authority to the police, and take away from them those obnoxious features that must accompany every police-system.

In the chapter on Schools, it will have been seen that I have further provided for the efficiency of such a police registration by the establishment of military schools, which would provide an efficient army at a moment's notice, in case it should ever be necessary to create one. The naval department would, of course, have to continue, though the abolition of the tariff would make cruising for smugglers unnecessary. But our present military organization might very well be dispensed with, if the propositions herein advanced are duly carried out.

CAPITAL AND LABOR; OR, THE RICH AND THE POOR.

CHAPTER I.

ANALYSIS OF THE CONFLICT.

I place these words at the head of this chapter, not because they fitly express the idea which underlies them, but because they have been sanctioned by usage to illustrate the most perplexing social question that has agitated mankind since its primitive historical existence.

Capital and labor, as such, are not two opposite ideas, expressive of two antagonistic factors of human life; for labor is also capital, in that it has the power to accomplish the same ends. Capital purchases commodities, and labor purchases commodities. Capital procures labor, and labor procures capital; and therewith, perchance, new labor. In so far, therefore, both of these elements of life are interchangeable, and their common exponent is money, as the universal purchasing-agency. When we say of a man, that he has capital, we really mean, that he has wealth, — be it in the nature of money, or of houses, farms, cattle, bonds, or any other means whereby he can purchase whatever commodities he desires to possess, to the extent of that wealth. But labor accomplishes the same end, and is just as much and in the same meaning a purchasing-agency, or medium of commercial and business interchange. Nor can it be said that capital and labor are opposites in this: that the one agency can accomplish more than the other. At least, this does not hold good as a general proposition.

It is true, that some kinds of labor command only a very small amount of purchasing-power; let us say, for instance, in order to fix a measure, only to the extent of $300 per annum. But there is also many a kind of capital that can do no more. Other kinds of

labor may be able to purchase $10,000 or $50,000 per annum, in the same way as other kinds of capital can so purchase.

The distinction made in this respect between capital and labor is therefore a purely fictitious one, and not at all of a qualitative kind; nor is it either, generally speaking, of a quantitative character. The words simply do not at all express what they were meant to express; and are chosen by me, as I said before, only because they are of common usage as representing an altogether different idea. What people really do mean when they speak of a conflict between capital and labor is, a conflict between the rich and the poor.

But who, then, are the rich and the poor? Whence comes this peculiar distinction between men, — a distinction neither physical, mental, nor moral, but entirely unique; and what gives rise to that conflict, — a conflict which, from the very nature of the case, invariably begins on the part of the poor?

This, indeed, is apparent from the simple fact that the terms "capital" and "labor," as signifying such opposition, are of purely modern use; whilst the conflict which they typify — between rich and poor — is as old as the historical world.

Those terms, "Capital" and "Labor," are indeed mere arbitrary generalizations, invented to hide the reality, — humbugs to delude the masses. Let it, then, be clearly understood that the expression, "Conflict between Capital and Labor," when thus used, means simply the world-historical struggle between the Rich and the Poor; the solution of which through a peaceful reconciliation is imperatively demanded by the social condition of the modern world, and constitutes what is nowadays called the "social question."

CHAPTER II.

HISTORICAL ORIGIN OF THE CONFLICT.

In modern times this question was inaugurated by Rousseau; carried into practice by the men of the French Revolution; in a common-sense way it was expounded by Adam Smith; and philosophically, finally, it was elaborated by Kant and Fichte.

The present expounders of this question are almost all of European

origin and residence; and their head-centre, Mr. Marx, is a German Jew, residing at London. It is not unworthy of remark, by the by, that all the prominent Jewish politicians — Lasker in Germany, Gambetta in France, and Castelar in Spain, amongst others — are strong advocates of Socialism, though not exactly of Communism.

Nor is it proper to call this "conflict between capital and labor" one of the workingmen against their employers, as has been of late the habit to characterize it. This, also, is a perversion of facts, put forward solely to mislead the people. There does not exist, and there never has existed amongst men a distinctive class of workingmen. Properly speaking, all men are, more or less, workingmen, however the nature of their work may differ. But even if we confine the terms "workingmen" and "laborers" to those who earn their living exclusively by manual labor, we shall find that the men who have made, and still make themselves most conspicuous in defining the social conflict of the present time as one between workingmen and their employers, invariably narrow it down to the workingmen of cities, and jealously exclude from their ranks the workingmen of our broad prairies and extensive forests.

The origin and nature of this jealousy on the part of the workingmen of the cities against the agricultural laborers I shall now explain.

In his celebrated work, "The History of the Working and Burgher Classes," M. De Cassagnac says that, "taking history at all its sources, we have found numerous, deep, conspicuous, and unexceptionable traces of two classes of men, who have universally, in all countries, abounded in the commencement of all societies. One of these classes were *masters*, the other *slaves*, — *the first own, the second are owned.*"[1]

But M. De Cassagnac, like most of his countrymen, when treating of the philosophical order of things in history, prefers generalization to the narration of actual facts.

Historically, it appears rather that, primitively, men lived in a state of perfect equality, as nomads. This mode of life is still extant amongst our Indians, the Esquimaux, and several other uncivilized tribes. From this nomadic life, or along with it, came the pastoral; and then arose the life of agriculture, a mode of life wherein there was

[1] Duff Green's translation.

also perfect equality, and wherein there never entered such a state of things as hostility between employers and laborers. This was the patriarchal period of history, and is also still extant; as, for instance, in our unorganized Territories, and indeed wherever civilized men live together without having yet established a common government. Each individual, with the consent of his tribe, chose for himself a tract of land, either for the purpose of tilling it and raising grain thereon, or with a view to raising large herds of cattle. This state of society gave preëminence to the institution of the family, which, in nomadic life, had always remained more or less unsettled. The cultivator of the soil was naturally interested in raising a large family of sons and daughters, upon whose voluntary assistance he could rely permanently, or at least until such time as they should themselves become the heads of families. When this occurred, their past voluntary service was rewarded by a proper dower or advancement. Here then, also, there could be no conflict between capital and labor, or employer and employee, except in the rare cases where children might express dissatisfaction with their share of the paternal allotment. This, however, partook always more of the nature of a family feud, and was a feeling entirely different from that which causes the social agitation of modern times.

But alongside of the soil-tillers we find gradually growing up another class of men, gathering together and erecting dwellings in close vicinity to each other, and building walls around these dwellings for common protection, — the *builders of cities*, of whom we find separate mention made in every ancient historical account. It is to be noted, that, together with these city-builders, we find also mention made of the malleability of iron and other metals; in other words, the growth of cities and the development of the mechanical arts went hand-in-hand, and from this growth and this development first arose the distinction between employer and workingman, using the latter term in the meaning attributed to it by modern agitators, — that is, a mechanic, as distinguished from an agricultural laborer.

Another step: The nomads did not find it necessary to establish an interchange of commodities, since they found ready at hand all the necessaries of their lives in the game and the wild fruits of the fields. The patriarchs provided all their wants from their flocks and herds and the lands which they cultivated. But matters stood differently with the mechanics of the cities: the blacksmith's iron furnished

him neither food nor raiment; wood might enable the carpenter to build his house and make his furniture, but could help him no further; and brickmakers were, in this respect, as helpless as blacksmiths and carpenters. A mechanic, of whatever profession, was thus dependent upon the soil-tiller for his food and clothing; and as the soil-tillers soon learned the advantages to be derived from the labor of the mechanics, there sprung up between these two classes of laborers an interchange of commodities, which, in its first rude stage, was a direct interchange of articles, — a plow, for instance, in exchange for so many measures of corn, — but which gradually became an indirect exchange by means of money, the invention of the men who undertook the control of this indirect exchange, — middle-men, or merchants and brokers, — and which gradually became the instrument of the most degrading slavery amongst men, by making that anomalous distinction between rich and poor, alluded to before, possible.

It is curious to note the singularity of this money-distinction, or money-slavery, between men. Their political inequality — that between master and slave, king and subject, voter and non-voter — is easily enough accounted for, originating as it does in brute force; and it is also easily enough done away with by the same agency, — brute force, or revolution. Their mental or intellectual inequality is also easily removed by universal public education; but no human mind has as yet contrived means to deliver mankind from the unrelenting tyranny of the money-power; or, in other words, radically to solve the irrepressible conflict between the rich and the poor (capital and labor).

CHAPTER III.

ATTEMPTED PRACTICAL SOLUTION OF THE CONFLICT — THE SOCIALISTIC GOVERNMENT OF ANCIENT PERU AND THE JESUIT GOVERNMENT OF PARAGUAY.

A practical solution was, however, at one time of human history, not only attempted, but carried out for nearly seven centuries, with the most admirable results. I allude to the government of ancient Peru, under the rule of the Incas, whereby a civilization was established, the beneficial humanitarian results of which have excited the

admiration of all subsequent ages, and which might have lasted to this day had not the cruel, barbarous civilization of the Spanish conquestadores put a violent end to it.

I hope my readers will not consider it amiss if I here go out of my way to mention some salient points of that unique form of government, using the language of one of our greatest historians, Prescott, its impartial chronicler: —

"The whole territory of the empire was divided into three parts, — one for the Sun, for religious worship, another for the Inca, and the last for the people. Which of the three was the largest is doubtful. The proportions differed materially in different provinces. The distribution, indeed, was made on the same general principle, as each new conquest was added to the monarchy; but the proportion varied according to the amount of population, and the greater or less amount of land consequently required for the support of the inhabitants.

"The lands assigned to the Sun (religious worship) furnished a revenue to support the temples and maintain the costly ceremonial of the Peruvian worship and the multitudinous priesthood.

"Those reserved for the Inca went to support the royal state, as well as the numerous members of his household and his kindred, and supplied the various exigencies of government. The remainder of the land was divided, *per capita*, in equal shares among the people. It was provided by law, as we shall see hereafter, that every Peruvian should marry at a certain age. When this event took place, the community or district in which he lived furnished him with a dwelling, which, as it was constructed of humble materials, was done at little cost. A lot of land was then assigned to him sufficient for his own maintenance and that of his wife. An additional portion was granted for every child, the amount allowed for a son being the double of that for a daughter. The division of the soil was renewed every year, and the possessions of the tenant were increased or diminished according to the numbers in his family. The same arrangement was observed with reference to the curacas (officials), except only that a domain was assigned to them corresponding with the superior dignity of their stations." * * *

To keep alive the love of a homestead under such a system, it was further provided, as Prescott says, that "not only should the lease, if we may so call it, terminate with the year, but during that

period the tenant had no power to alienate or to add to his possessions. The end of the brief term found him in precisely the same condition that he was in at the beginning. Such a state of things might be supposed to be fatal to anything like attachment to the soil, or to that desire of improving it which is natural to the permanent proprietor, and hardly less so to the holder of a long lease. But the practical operation of the law seems to have been otherwise; and it is probable that, under the influence of that love of order and aversion to change which marked the Peruvian institution, each new partition of the soil usually confirmed the occupant in his possession, and the tenant for a year was converted into a proprietor for life."

The mode of cultivating the soil under this system Prescott describes as follows: —

"The territory was cultivated wholly by the people. The lands belonging to the Sun were first attended to. They next tilled the lands of the old, of the sick, of the widow and the orphan, and of soldiers engaged in actual service; in short, of all that part of the community who, from bodily infirmity or any other cause, were unable to attend to his own concerns. The people were then allowed to work on their own ground, each man for himself, but with the general obligation to assist his neighbor when any circumstance — the burden of a young and numerous family, for example — might demand it. Lastly, they cultivated the lands of the Inca. This was done with great ceremony, by the whole population in a body. At break of day, they were summoned together by proclamation from some neighboring tower or eminence, and all the inhabitants of the district — men, women, and children — appeared dressed in their gayest apparel, bedecked with their little store of finery and ornaments, as if for some great jubilee. They went through the labors of the day with the same joyous spirit, chanting their popular ballads, which commemorated the heroic deeds of the Incas, regulating their movements by the measure of the chant, and all mingling in the chorus, of which the word *haillii*, or 'triumph,' was usually the burden."

The material for their clothing, which was furnished by the large herds of llamas, was thus obtained and distributed amongst the people: —

"At the appointed season they were all sheared, and the wool was deposited in the public magazines. It was then dealt out to each

family in such quantities as sufficed for its wants, and was consigned to the female part of the household, who were well instructed in the business of spinning and weaving. When this labor was accomplished, and the family was provided with a coarse but warm covering, suited to the cold climate of the mountains, — for in the lower country, cotton furnished in like manner by the crown took the place, to a certain extent, of wool, — the people were required to labor for the Inca. The quantity of the cloth needed, as well as the peculiar kind and quality of the fabric, was first determined at Cuzco. The work was then apportioned among the different provinces. Officers, appointed for the purpose, superintended the distribution of the wool, so that the manufacture of the different articles should be intrusted to the most competent hands. They did not leave the matter here, but entered the dwellings from time to time and saw that the work was faithfully executed. This domestic inquisition was not confined to the labors for the Inca. It included also those for the several families; and care was taken that each household should employ the materials furnished for its own use in the manner that was intended, so that no one should be unprovided with necessary apparel. In this domestic labor all the female part of the establishment was expected to join. Occupation was found for all, from the child five years old to the aged matron not too infirm to hold a distaff. No one — at least, none but the decrepit and the sick — was allowed to eat the bread of idleness in Peru. Idleness was a crime in the eye of the law, and as such severely punished; while industry was publicly commended and stimulated by rewards."

In regard to that class of people who attended to the mechanical arts, Prescott informs us: —

"All the mines in the kingdom belonged to the Inca; they were wrought exclusively for his benefit, by persons familiar with this service, and selected from the districts where the mines were situated. Every Peruvian of the lower class was a husbandman, and, with the exception of those already specified, was expected to provide for his own support by the cultivation of his land. A small portion of the community, however, was instructed in mechanical arts, some of them of the more elegant kind, subservient to the purposes of luxury and ornaments. The demand for these was chiefly limited to the sovereign and his court; but the labor of a larger number of hands was exacted for the execution of the great public works which covered

the land. The nature and amount of the services required were all determined at Cuzco, by commissioners well instructed in the resources of the country and in the character of the inhabitants of the different provinces." * * *

Thus we see that "the different provinces of the country furnished persons peculiarly suited to different employments, which, as we shall see hereafter, usually descended from father to son. Thus, one district supplied those most skilled in working the mines, another the most curious workers in metals or in wood, and so on. The artisan was provided by the government with the materials, and no one was required to give more than a stipulated portion of his time to the public. He was then succeeded by another for the like term; and it should be observed that all who were engaged in the employment of the government — and the remark applies equally to agricultural labor — were maintained for the time at the public expense. By this constant rotation of labor, it was intended that no one should be overburdened, and that each man should have time to provide for the demands of his own household. It was impossible, in the judgment of a high Spanish authority, to improve on the system of distribution, so carefully was it accommodated to the condition and comfort of the artisan. The security of the working classes seems to have been ever kept in view in the regulation of the government, and these were so discreetly arranged that the most wearing and unwholesome labors — as those of the mines — occasioned no detriment to the health of the laborer; a striking contrast to his subsequent condition under the Spanish rule."

The noble system of "cornering" on wheat, meat, corn, gold, silver, opium, or quinine, so thoroughly cultivated under our modern money-system, was entirely unknown in ancient Peru. The way the Incas managed was thus: —

"A part of the agricultural produce and manufactures were transported to Cuzco, to minister to the immediate demands of the Inca and his court. But far the greater part was stored in magazines scattered over the different provinces. These spacious buildings, constructed of stone, were divided between the Sun and the Inca, though the greater share seems to have been appropriated by the monarch. By a wise regulation, any deficiency in the contributions of the Inca might be supplied from the granaries of the Sun. But such a necessity could rarely have happened; and the providence of

the government usually left a large surplus in the royal depositories, which was removed to a third class of magazines, whose design was to supply the people in seasons of scarcity, and, occasionally, to furnish relief to individuals whom sickness or misfortune had reduced to poverty; thus, in a manner, justifying the assertion of a Castilian document, that a large portion of the revenues of the Inca found its way back again, through one channel or another, into the hands of the people. These magazines were found by the Spaniards, on their arrival, stored with all the various products and manufactures of the country, — with maize, *cocoa*, *quinua*, woollen and cotton stuffs of the finest quality, with vases and utensils of gold, silver, and copper; in short, with every article of luxury or use within the compass of Peruvian skill. The magazines of grain, in particular, would frequently have sufficed for the consumption of the adjoining district for several years. An inventory of the various products of the country, and the quarters whence they were obtained, was every year taken by the royal officers and recorded by the *quipucamayus* on their registers with surprising regularity and precision. These registers were transmitted to the capital and submitted to the Inca, who could thus at a glance, as it were, embrace the whole results of the national industry, and see how far they corresponded with the requisitions of government."

And how was it possible to establish and maintain such an admirable system of socialistic government? Simply because the Peruvians, the inhabitants of the richest gold and silver lands of the world, used no money at all in their intercourse with each other, but employed those metals only for ornament. Thus the distinction between rich and poor, which I have traced as originating in the invention of money, was utterly unknown to them. This led to the most beneficial results for the people at large. Says Prescott: —

"If no man could become rich in Peru, no man could become poor. No spendthrift could waste his substance in riotous luxury. No adventurous schemer could impoverish his family by the spirit of speculation. The law was constantly directed to enforce a steady industry, and a sober management of his affairs. No mendicant was tolerated in Peru. When a man was reduced by poverty or misfortune, — it could hardly be by fault, — the arm of the law was stretched out to minister relief; not the stinted relief of private charity, nor that which is doled out, drop by drop, as it were, from the frozen

reservoirs of 'the parish,' but in generous measure, bringing no humiliation to the object of it, and placing him on a level with the rest of his countrymen.

"No man could be rich, no man could be poor in Peru, but all might enjoy, and did enjoy a competence. Ambition, avarice, the love of change, the morbid spirit of discontent, — those passions which most agitate the minds of men, — found no place in the bosom of the Peruvian."

I have said that the Inca government of ancient Peru was the only historical instance of a socialistic government known to us. Perhaps, however, I might have added another, which, however great the difference, had still the same prominent socialistic features, and was accompanied by the same beneficent results. This is the government which the Jesuits established and maintained for nearly a century in Paraguay, and which seems almost to have been modelled after that of ancient Peru. It is South America, therefore, which, curiously enough, has furnished us with the two great experiments of Socialism known to history.

It was about the beginning of the last century that the order of the Society of Jesus obtained possession of that fertile and salubrious district, having some eighty-four thousand square miles in extent, lying inland, between the rivers Parana and Paraguay, south of Brazil. They found the inhabitants in a state little different from that which takes place among men when they first unite together, — subsisting precariously by hunting and fishing, unacquainted with agriculture and manufactures, and strangers to the first principles of subordination and government. They were, however, of the same mild and gentle disposition which was so distinguished a characteristic of the ancient Peruvians.

The Jesuits at once devoted themselves to instruct and to civilize them, teaching them to cultivate the ground, to rear tame animals, and to build houses. They introduced the culture of grain, rice, cotton, tobacco, and the so-called Paraguay tea (*yerba maté*), and laid the foundation of those immense herds of cattle, which still continue to be the main wealth of that little South American republic; they brought them together in villages, and trained them to arts and manufactures; they made them taste the sweets of society, and accustomed them to the blessings of security and order; they governed them with a tender attention, more resembling that which a

father directs to his children than the relation which usually exists between the governors and the governed; they maintained a perfect equality among all the members of the community, nearly a million in number, *each of whom was obliged* to labor, not for himself alone, but for the public. The produce of their fields, together with the fruits of their industry of every species, were deposited in common store-houses, from which each individual received everything necessary for the supply of his wants. Poverty, crime, envy, and dissatisfaction, which render men unhappy under all other governments, were thus almost unknown in Paraguay; and a few magistrates, chosen from among their countrymen by the Indians themselves, sufficed to maintain public tranquility and secure obedience to the laws. Sanguinary punishments were absolutely unknown. An admonition from one of the Jesuits, a slight mark of reproach, or, in extreme cases, a few lashes from a whip, were sufficient to maintain good order. In order to prevent the Spaniards and Portuguese of the adjacent settlements from acquiring any dangerous influence over these Indians, the Jesuits cut off all intercourse between their subjects and the adjoining settlements, allowing no private trader to enter their territories: and in order to render Paraguay secure against attack, they formed their subjects into bodies of cavalry and infantry, completely armed and regularly disciplined, and provided a great train of artillery, as well as magazines of all the implements of war.

The singular resemblance between these institutions of the Jesuits in Paraguay and those of primitive Peru are apparent at a glance. Nor is the resemblance between the elements which laid the foundation of these institutions, and those elements which made their application possible, less striking. Like the Incas, the Jesuits were few in number; wise, benevolent, energetic; with only one grand passion, — love of rule. Every Jesuit aspires to be, if not sole ruler of the world, at least one of the few, who have made the rule of the world his sole aim and object. The Paraguay Indians, on the other hand, like their countrymen of Peru, loved the mild, unoppressive despotism of a fatherly government. Absolute submission was to these childlike creatures advancement, happiness, virtue.

It would have been of inestimable benefit not only for Paraguay, but for all South America, and in a great measure for all mankind, if this great experiment to raise up in the depths of South America

and amongst a race of savages a model civilization, society, and government, had received no check. But Clement XIV., giving way to the pressure of France, Spain, and Portugal, — who had begun to fear the growing power of the Society of Jesus, — abrogated the order in 1773, and with its abrogation, and an exchange of some of the South American possessions between Spain and Portugal, the Jesuit government in Paraguay came to an end.

CHAPTER IV.

THE RUSSIAN MIR SOCIALISTIC INSTITUTION AND THE LAND TENURES IN EUROPE.

Another attempted practical solution of this problem, but which relates only to landholders and land-laborers, is that of the Russian *mir* (commune). A short sketch of it may also opportunely come in here. The *mir* constitutes a sort of democratic government. The "assembly," which is composed of the heads of families, makes all the laws, directs all during the harvest, manages the labor, punishes those who do not pay their taxes, etc. It elects the elder, who acts as mayor; also the collector, the watchman of the night, the burgher of the village. At certain periods the central administration reviews all the male peasants of the commune, from the latest-born to the centenarian, and each commune pays to the government an annual sum proportionate to this enumeration. All families are collectively and individually responsible for the payment of this sum. It is important, therefore, that every one should work, as idleness does not prevent the payment of individual taxes, and they must be borne by others. The system of corporal punishment still remains in use against those who do not pay their dues.

The commune distributes land between its members as it judges proper, according to the resources of the applicants, or, rather, their ability to work; besides which, every family owns a house and garden, which is its hereditary property, and is never disturbed by the other periodical redistributions. Many peasants go to work in cities, and remain there a large portion of the year, and some permanently; but this does not prevent their title to their rural homes, or exempt them from the tax. The women and children remain in the villages.

When work fails, or old age or sickness arrives, the Russian peasant retires to his country home, and the law preserves his cabin, his agricultural tools, his house and household furniture, when he becomes helpless or insolvent.

The emancipation of the serfs naturally put an end to this system of the *mir*, but at the same time established a distribution of land, the like of which had not been witnessed since the days of the French Revolution. A sketch of this change will complete a description of the great practical solutions of the conflict between capital and labor attempted on this globe, and at the same time show how very little difficulty there really is in effecting a distribution of lands, held in vast tracts by a few owners, amongst the tenants, the real cultivators of the soil. I quote from an eminent writer on the subject: —

"The proprietors, or nobles, who had derived from their serfs an annual revenue, either in labor, money, or farm produce, — as well from the direct cultivation of the land as in commutation of service from those serfs who were permitted to work on their own account at home, or reside as mechanics, traders, etc., at a distance, — were called upon in 1861 to accept a new condition of affairs. Hitherto they had paid a poll-tax to the government on the number of 'souls' they counted on their estates, and although by law the serf was permitted to work three days of each week on his own account, the majority of the proprietors followed their own interests in regulating the service due. The new law compelled the proprietor to cede absolutely to the peasants a portion of his estate, to give up to them the houses and gardens, and a large portion of the arable land; in other words, to convert the former serfs into members of free communes. The taxes were shifted, and the proprietor received his compensation in this wise: The land was valued, the dues were capitalized at six per cent, and the government paid at once to the proprietors four-fifths of the whole sum in government bonds. The peasants were to pay to the proprietor the remaining fifth, and to the government six per cent for forty-nine years on the sum advanced. The basis of the distribution of land was, for the most part, that portion of it occupied by the village communes in the large estates; in case this was considered insufficient, more was added. The domestic serfs, numbering 1,500,000, were compelled to serve the masters during two years, after which they were absolutely free, but had no claim to a share of land.

"The working out of the new order in the relation of the peasant to the government direct, and his new share in self-government, is of course open to all the disadvantages of a state of experiment and transition. In the old *mir* there were the controlling forces in the background, of State officials in the State demesne, and of the proprietor on his estates, while in the village assemblies for local regulation the shrewd sagacity of the elder peasants bore sway and interpreted the unwritten law. In the new community the few educated peasants have a great advantage over the ignorant ones, which is an argument for the speedy increase of free schools, as the temptation to use their superior advantages to their own profit is not always resisted. The discussions are noisier, and a certain amount of *vaaka* (brandy) distributed, is said often to carry a decision with it. Neither an act of Parliament nor an imperial edict can convey the spirit of self-government; it does but create the form, the rest must be left to the slower growth of usage, supported by the education of the whole."

In conclusion to these remarks on the systems of land-tenure practised in Russia, in ancient Peru, and in Paraguay under Jesuit rule, — all resembling each other in the fundamental principle of a commune, communality, commons, commonwealth, — I will trace in a few rough outlines the origin of this Communism, its sudden disappearance in Europe,, and its gradual revival in recent times.

The Aryan race — that is, the Indo-Germanic tribes — always held land in common. No individual could claim for himself a certain parcel of land as his specific property. He might own and appropriate to his own exclusive use anything else, but not real estate. The land that he cultivated belonged to the community of which he was a member; he had simply the use of it. Every year this use was continued, but it might happen that a different piece of ground would be allotted to him each year. A village composed of, say, one hundred adults, appropriated, for instance, five thousand acres for the use of its inhabitants. Now, instead of allowing each person to claim fifty acres as his individual property, the commune, or syndics, allowed him the whole or a portion of these fifty acres of land for cultivation upon a tenure from year to year. If at the end of one year his family had increased, he would receive an additional piece of land.

This system of common land-tenure holds good still in many parts of India, as it still does in Russia, under the *mir* system, and as it had held good in all Europe until the rise of the system of feudal

land-tenure. Even at the present day, curious travellers may find traces of the commune in France, Germany, Austria, Spain, and the Low Countries.

But when the life of the cultivator of the soil became a separate life from that of the dweller in cities, and between the two classes of free peasants and burghers there arose the class of serfs, as fighting men, — the warriors, who followed their liege lords or knights to the wars,—the foundation was laid for that system of feudal rule and tenure which held Europe in subjection until the close of the last century, and which is still predominant in Great Britain. The feudal system abolished the ancient law of the commune, concentrating the ownership of large landed estates in the hands of a few, whose exclusive ownership was perpetuated in each family by the laws of entail and primogeniture. The inhabitants of cities were not so much oppressed by this military system of feudal tenure, but the tillers of the soil were reduced to serfdom, and their burdens became intolerable.

It was to the enslaved agricultural population of France, not to the denizens of the Faubourg St. Antoine, that we owe the French Revolution of 1789. St. Antoine may claim that of 1793 without contradiction; but it was the peasant, not the citizen workman, who first organized the Jacobin clubs, and who started the chant of the Marseillaise.

And what was the outcome of the great French Revolution of 1789? The destruction of the feudal system of land-tenure: firstly, in France; and, secondly, over all Europe. Wherever the French army advanced, with its battle-cry of *Liberté*, *Egalité*, *Fraternité*, the feudal fabric of land-tenure crumbled into dust.

Only one country was left untouched by this sweeping reform, — the country whereunto French armies could not penetrate, — Great Britain. There the feudal system, with all its despotic features, remains to this day. In every other European country, and all over America, scarcely a vestige of it is to be found any more; but in Great Britain, the dread of Napoleon and French invasion produced also such a dread of the political ideas which followed in the train of his armies, that the British mind was rendered as inaccessible to the new French ideas as the British soil was inaccessible to the French armies. But the time must come, and, in fact, is rapidly approaching, when Great Britain must give way to the new order of things, as the other countries of Europe and America have been compelled to give way.

CHAPTER V.

THE HISTORICAL ORIGIN OF THE CONFLICT — CONTINUED.

It is very evident, that neither of these practical solutions of the problem before us will satisfy modern civilization. Let us, therefore, retrace our steps, and see whether we cannot reach it from another point of view.

With the disappearance of nomadic life there remained two classes of men, — the herdsmen and cultivators of the soil, and the inhabitants of the cities, — each class being desirous to effect an interchange of their respective commodities. Soon, however, as I have already said, a third class of middlemen — merchants — arose, who made this interchange their own especial business; and, to facilitate it, invented tokens representing the value of all kinds of commodities, which tokens came to be known as money. Now, so long as the dealings between the industrial and agricultural classes were carried on solely by direct barter, each party exchanging only for that of which he stood in actual or immediate need, there was little or no chance of any great inequality arising in regard to the value of the possessions of either class. The mechanic found it useless to manufacture more than was necessary to supply his wants, and the farmer had no incentive to raise more grain or cattle than would serve his own needs and enable him to procure the tools which he needed from the mechanics of the cities.

But with the invention of money-tokens there was stirred up in man's breast that most ineradicable of all passions, the desire to possess the future. Most ineradicable, perhaps, because most ideal. There is no present gratification in what lies beyond it; there is nothing real, nothing substantial about it. And yet those men who, above all others, boast of their realism, their every-day practical wisdom and conduct, are the very ones who are most zealous in their pursuit of the ideal future in its phantom shape of money; just as those same men are preëminently anxious about immortality. The true idealist bothers himself very little about the future in either shape, but is very solicitous to engraft the ideal upon the present real world. He does not lay up hoards for the future, but works out, with his wordly treasures, the splendor of the ideal upon the present; he does not

worry himself about his immortality, but strives to lead an immortal life even here upon earth.

The invention of money-tokens was, as I have said, the immediate cause which stirred up man's passion for the possession of the future; for these tokens, though also of daily direct use in effecting the interchange of commodities, had necessarily another character, namely, that of being stored away and enabling the holder of them, at *any* time (present *or* future), to effect such interchange. The mechanic, who was able to manufacture more articles than were needed for his daily support, was thus induced to manufacture as many more of them as possible, and to exchange, or rather sell, this superfluity for *money*, which he could use at any time and for the purchase of anything; and the farmer was in the same way instigated to produce far above his necessities, since he was enabled to dispose of all his surplus for money, which he could hoard away for future use. This new state of affairs naturally placed in the hands of the man possessing the greater amount of ready money a greater power than was enjoyed by those who had less of it; a power entirely different from the political power of the government officials, and from that of the wiser over the more ignorant of mankind; a power which, in its absoluteness, idealism, and unscrupulous exercise, finds a counterpart only in the power exercised by priestcraft through religious fanaticism, — the power of wealth.

Let us illustrate how the power might have been, and was exercised at the earliest times, as it is still exercised every day in all the money markets of the world: —

Through long years of labor, economy, and what not other of financial virtues, let us suppose that one individual (A.) of a small community had been able to put aside and hoard a vast quantity of the money-tokens circulating in that community. With these money-tokens he could purchase any marketable commodity within that community, those tokens constituting, as they did, absolute property, as distinguished from all other kinds of property. Then, taking advantage of a bad wheat-season, let us say, he made use of them to purchase all the wheat within his reach. What was the result? All the wheat-consumers and bread-eaters of that community became his abject slaves, so far as that great necessary of life was concerned.

This is precisely the phenomenon that occurs at the present day in every so-called "cornering" movement. It is the phenomenon of money-monopolies, — the power of the rich to grind down the poor.

CHAPTER VI.

ATTEMPTS AT THEORETICAL SOLUTIONS OF THE PROBLEM — THE RUSSIAN COMMUNISTS AND GERMAN SOCIALISTS.

We have already seen that no *practical* means of removing this distinction have ever yet been devised by men; the most perfect method — that of the form of government in ancient Peru — being incompatible with our civilization, and that of the ancient *mir*, or communistic, system in Russia — a relic of ancient Hindoo civilization — being also impracticable in our days, and, besides, imperfect in itself.

Let us now see what *theoretical* means of doing away with this conflict between the rich and the poor have been devised. And here we shall, strangely enough, again have to recur to Russia; for of the two plans proposed to settle this great social difficulty, one (the Socialistic), it is true, has its origin in Germany; but the other (the Communistic) has, if not its origin, at least its most radical and uncompromising exponents in Russia. We will begin with the latter.

It certainly seems strange that the most absolutely despotic country in the world, Russia, should also be the greatest Communistic volcano of the world. But so it has been, even for the past forty or fifty years, under the influence of German philosophical propagandists. Besides, it is well known that extremes always meet; and it is therefore very fit that the absolute despotism of the "Father," as the Russians call their emperor, should find its dialectic opposite in the absolute Communism of the Bakonites, for both are inexorably despotic in the carrying out of their programmes; though the absolute Positivist, the Czar, has, in one respect at least, greatly the advantage over the absolute Nihilist, Bakonine. For, whereas the emperor extended to Bakonine the clemency of temporary exile,[1] Bakonine, under the same circumstances, would assuredly have expedited the Czar to permanent and far more remote exile by a prescription of dynamite. The Czar would have no government but that of his individual will; the Bakonite is opposed to every kind of government. The Czar

[1] "What shall I do with this Bakonine," said he; "I can neither hang him nor send him to Siberia?"

sometimes makes concessions, and on state occasions even smiles upon his subjects; the Bakonite Communist neither concedes nor smiles. He has only one passion: to break down civil order all over the civilized world, — to abolish or abrogate all the laws, all the customs, all the morals, and all the recognized ethics of the world. His sole object is destruction, — destruction of all that exists; for all that exists is wrong. This is the Russian Communist's catechism; these are the principles with which he has infected all Europe, and threatens to infect even our own country.

The Socialists of Germany and France were innocent dreamers as compared with these melancholic preachers of Sclavonia, who have thus interpreted to them as the ultimate end of all liberty, — that is, liberty without law, — the gospel of universal destruction. The Commune of Paris would never have committed the atrocities which drew upon it the execrations of the world but for the teachings of those men of Russia, whom the horrors of absolute despotism had driven to believe that nothing could overcome it but the perpetration of still greater horrors. Even the literature of Western Europe and our own literature bear the impress of this Sclavonic Nihilism and Communism, as interpreted in the novels and poems of Russia. In Alfred de Musset's as in Baudelére's writings, in the English *Saturday Review* as in the daily press of the United States, we have the constant refrain: Destroy! destroy! even as a few years ago we heard it here reëchoed from the coal-mines of Pennsylvania to the railroads of the West.

Let us stop to look a moment at this Michael Bakonine, the foremost apostle of Russian Nihilism, though now he lies himself annihilated in the grave. When, some thirteen years ago, he retired from political life, he wrote: —

"I am tired of fighting any longer, having done nothing else my whole life. I am over sixty years old, and a painful heart-disease contributes still further to make existence hateful to me. Let other, younger forces rally to the work. I have neither the power any more, nor, perhaps, the confidence in myself, to continue rolling the stone of Sisyphus incessantly upward against the always victorious reaction. Hence I retire from the field of battle, and ask of my dear fellow-men only this one thing, — to forget me. Hereafter I shall disturb no one's rest any more; let no one, then, disturb mine."

Bakonine entered life as an officer of artillery, but in earliest youth

he had imbibed that wild spirit of revolution which is to be found only in the most despotic of empires, — in Russia; among the gloomiest people in Europe, the Sclavonic. Graduated in the philosophy of Schelling, which was then the rage at Moscow, Bakonine soon threw that study aside to listen to the more exciting lectures of Belinski on history and politics. It was by this great Russian writer and historian that Bakonine was educated in the faith to which he has clung all his lifetime. Unable to conspire for the realization of his ideas in Russia, Bakonine resigned his position in the army and went to Paris, where he remained several years, and became the advocate of the Poles, — of the people whom he had all his life been taught to look upon as an inferior race, utterly unable to govern themselves. Then came the revolution of 1848, and Bakonine passed over into Germany, the great revolutionary centre of that period. Here he worked like a beaver, — planning, conspiring, and organizing secret societies and labor unions everywhere; and teaching his wild doctrine of the abolition of all government and lawful authority. In Dresden — where his exploits as dictator of that city are still remembered — he was captured with his arms in his hands, and condemned to death, but his punishment was subsequently commuted to imprisonment for life. On being claimed by Russia, however, the German authorities gave him up. In Russia he was kept in prison from 1849 to 1855, and was then sent to Siberia. From Siberia he escaped to Japan, crossed over to the United States, and from here went to Switzerland, where he devoted himself exclusively to the propagation of his doctrines. These doctrines may be summed up as follows: Destruction of every form of political State; substitution for it of workingmen's associations; collective property in land; the common appropriation of all the instruments of labor; and atheism in religion and materialism in philosophy.

In his life, Bakonine has been a pretty good illustration of the results his doctrines would make universal, if carried out. He has always been impecunious, and compelled to rely upon the support of personal friends. But, according to him, this is the natural condition of a "revolutionary," for in his recently published "revolutionary catechism," Bakonine says: —

"The revolutionary is a sacred person. He has no individual interest, no business, no feelings, no inclinations, no property, and even no name. He has only one thought, one passion, — revolution. He

has completely broken with civil order in the whole civilized world; with laws, customs, morals, and all the recognized ethics of this world. He repudiates all the science of this world by saving it for future generations, and for himself knows only one science, — destruction. Cold towards himself, he must be so also toward others; all feelings of inclinations — all effeminating sentiments of gratitude, friendship, love, and relationship — must be quenched in him by the one cold passion of his revolutionary work. Day and night, without cessation, he must have one single thought, one single object, — uncompromising destruction; and to obtain this object, he must be ready to die himself, and to kill with his own hands all those who hinder him in his object."

And this is the programme of the Bakonites, as put before the world in the last congress of the party, held at Verviers, Switzerland: —

Private property is no longer to be recognized, whether it consists of lands, buildings, moneys, manufactures, or any other species of property. It is all to become the common property of separate groups of workingmen, into which the whole world is to be divided, after all governmental and State organizations, as at present existing, shall have been successfully abolished. There are to be no more States, no legislatures, no municipalities, and no courts, — nothing but these bodies of workingmen, who are to form temporary unions for specific purposes, and after the attainment of those purposes, to separate again.

An instance of the manner in which this is to be accomplished was furnished during the short existence of the late Spanish Republic, while the eloquent Castelar was president, in the case of the manufacturing city, Carthagena, where the Workingmen's party — the Bakonine Communists — had taken control of the place and held it for a long time against the republican government. A republican government was as odious to them as a monarchical government, — nay, seemingly even more so. These Bakonites, or extreme Communists, whose chief strength lies in parts of France, Italy, and Spain, but more especially in Russia, are fanatic in their demand for the abolition of all government, and the establishment in its place of a community of interest in all things, even in women. As concert of action in one general movement is impossible, under their programme, they propose to accomplish it piecemeal, as in the

case of Carthagena, referred to, and as in the case of the strikes of some years ago in various cities of the United States, which strikes also received the indorsement of the Verviers congress. Each place, however, where the workingmen make a movement, is to receive the support of all other workingmen's organizations over the world. It is a notorious fact, that the late strike movement in this country received its main support from Europe, and that its leaders acted throughout, and still act, in conjunction with and sometimes under instructions of the most prominent of the European leaders. There is, however, one point wherein the ultra Communists and the Workingmen's party, as it exhibits itself in the United States, differ materially, and which will explain — what to most of our people has seemed inexplicable — the rupture between the Communistic element of the strikers and the element of the Workingmen proper. This is, that the real Communists do not desire their members to strike for *higher wages*, but for the *abrogation of all wages*, and the overthrow of all forms of government. This was, indeed, expressed in so many words at the Verviers congress. The real Communistic programme is set forth in these words, from one of their organs, the Carthagena *Los Daskamisados:* —

"Let everything be for every one, even the women. From this beautiful disorder, or rather, this orderly disorder, the true harmony will arise. But before our programme is carried out, it will be necessary to purify society. A short, but large and uncommon bloodletting will be necessary. The rotten branches of the social tree must be cut off, in order that it may grow up strong and healthy. Such are our desires and tendencies, and, knowing them, tremble now, all ye well-to-do citizens, for your tyranny approaches its end. Make room for the shirtless! Our black flag is unfolded! War upon the family! War upon property! War upon God!"

The Communists of Germany, who call themselves Socialists, and whose chief leaders at present are Marx and Liebknecht, differ somewhat in their purposes from the Bakonites, though it is very clear that they will finally be driven to accept the same extreme standpoint. At their last congress in Geneva, in which the Bakonites, however, also participated, their programme was laid down as follows: —

All landed property and all other means of labor — meaning, evidently, railroads, telegraphs, factories, mines, and business agencies

generally — must become the property of the State, or of the community, which includes and represents the whole people. The proletariat (workingmen) must organize itself as a special party, and make use of all possible, even political, means to effect the social emancipation of its members. From its meetings all shall be excluded who do not earn their livelihood solely by manual labor. In the war of the laboring classes against the holders of property, it is very useful to form workingmen's clubs; but it is an antiquated notion if these clubs or societies strive for higher wages. They should seek to abolish the present system of wages altogether; and to effect this, should establish an international union, pledging each of its members to direct his efforts towards that end. This international workingmen's union should be formed on the principle of the revolutionary solidarity of the unions, and all these societies should mutually assist each other whenever in any country a revolutionary movement has been started.

Such, in outline, are the two programmes of the Communists and Socialists, both equally impracticable, and subversive of the very purposes which they aim to accomplish. Their pretended end is liberty; but, by leaving the law element out, their intended liberty becomes despotism. Neither Russian Communism nor German Socialism respects the freedom of the individual, so dear to the heart of every Anglo-Saxon, and to secure which should be the aim of every individual and every government.

CHAPTER VII.

THE HISTORICAL ORIGIN OF THE CONFLICT — CONCLUDED.

We have seen how, along with the invention of money, men began to live in the future and hoard their treasures for the future. The subsequent invention of money of account, banks, government bonds, and other fictitious or ideal money, — with the curse of interest thereunto attached, — gave a still stronger impetus in this direction; and these men of the future of wealth, of the ideal, came to be known as capitalists. Now, when it happened that it was a manufacturer who thus became a capitalist, or that a capitalist turned manufacturer

in order to increase his riches, there arose a new relation between the employer and his employees which had been previously unknown. The employer, keeping his ideal of accumulating wealth for future purposes always in clear view, came to take special pains to curtail as much as possible the wages of his employees and advance as much as possible the price of his manufactures. For now he was able to put aside the difference in money, which would at any time enable him to purchase such luxuries as he or his descendants might desire to enjoy. Money made man a miser. This greatest blessing, invented for civilization, was thus changed into a curse. The misery of this curse was still further enhanced when the owner of money discovered that he could increase his money-treasures by loaning it out for a time to persons who were in immediate want of money, and would be sure to repay him ultimately, either in returning the money or giving its equivalent in labor. For these loans, of course, a charge was made, — a charge which we nowadays call interest. The miser thus became a usurer, and the lot of those who had no money (of the poor) became infinitely more wretched than ever, in comparison with the lot of those who had hoarded it. But the worst did not come to pass till the moneyed men clubbed together and established corporations of all kinds, against which any combination that the poor might seek to effect seemed powerless. They are so powerless until this day.

In the agricultural districts, on the other hand, the curse of money and interest made itself manifest by a desire on the part of the farmer to establish a hoard of treasure by increasing his landed possessions, and having the work, which he and his family were unable to do, done by wandering tribes of workmen, who, in course of time, gave rise to the institution of tramps. In this case, however, the tramp laborer had the advantage of his employer during certain seasons of the year. When the crops had to be harvested, the laborer was the despot and the farmer the slave. If the laborer could not at one place obtain the wages which he saw fit to demand, he passed on to the next farm, leaving the one previously visited to its own devices as to the *best* means of reaping the results of a whole year's labor. The manufacturer, especially if combining with others of his class, was in a position to dictate to his workingmen. The tramp workingmen of the country dictated to the farmer in harvest time. And thus stands the conflict this day.

CHAPTER VIII.

THE SYNTHETICAL SOLUTION OF THE PROBLEM.

The problem was to establish an equitable relation between capital and labor, or the rich and the poor, — the latter phrase signifying the non-rich. The Communists and Socialists propose to settle this problem, as I have shown, by abolishing all property, and making impossible a distinction between the rich and the poor, which, as I have said before, is in reality no solution at all; for the solution of a problem is not effected by simply negating the elements that compose it, but only by uniting them in a higher synthesis. Now, this synthesis is a coöperative government of the people, by the people, and for the people, such as is described at length in this book; and hence this work, not in any special part thereof, but in all its parts, taken together, constitutes the real solution of the problem; and whenever all the requirements of a rational, federative, coöperative, republican form of government that are herein laid down shall have been fully carried into practice, the conflict between capital and labor will have ceased to exist. I say, *all* the requirements; for in a complete synthesis all the parts composing it are necessarily connected, and one cannot stand without the other. Without my money-system, my taxation-system cannot stand; without the prohibition of all public debts hereafter, the burden of the people cannot be made lighter; without my telegraph-system, the national daily newspaper would fail of its purpose; without public hygiene, public education cannot be carried out; and without public education, the whole fabric of our government will fall to pieces. I might carry this exposition out to the minutest detail, but every reader will easily be able, by himself, to trace the connecting links throughout the book. I may add, however, that in this synthesis are also united the attempted practical and the attempted theoretical solutions of this great social problem. All that was just and good for the whole people under the form of government of the Mosaic code, of ancient Peru, or of Paraguay, and all that is just and good in the proposed schemes of the Socialists and Communists, will be developed under my system of a coöperative government; and yet none of the blessings of a vigorous government of law, and none of the blessings of a free, federative republic will be sacrificed.

I will conclude by a few practical suggestions for the immediate relief of the present intolerable state of things, which makes life a veritable curse to the immense majority of mankind, — the poorer classes.

The danger arising to the workingmen from the coöperation of moneyed men who employ them, can, as I have already suggested, be largely and peaceably averted by placing all means of public intercommunication in the hands of the government. The national means of public intercommunication would, of course, pass into the hands of the national government. But there are also local means of public intercommunication which are not of national significance. Each State, for instance, has its local railroads, its common roads, its rivers, its canals, and public buildings; each county and each city its improvements to make; and for all these enterprises the various municipal and State governments must employ labor, which enables them also to enter into competition with the other private enterprises in the State that employ large forces of labor, and, at least in a large measure, determine the price of labor. But the chief means whereby my system of government will wipe away as much as possible the present enormous distinction between rich and poor, and at least obviate the worst of its features, — oppression on the one side, and hatred and revolt on the other side, — is the establishment of the absolute national-money system I have sketched out in a previous article.

Not only will the issue of this money by the government make possible the construction of those internal improvements of which I have just spoken, but it will also materially lessen the lust for the possession of enormous gains by the abolition of bonds, and hence of interest on our national securities.

It is one of the greatest incentives to hoard money, that it can be invested in securities which are the equivalent of money in all respects, and have the additional advantage of increasing the amount of money which they represent, without any exertion on the part of their holder, and without being subject to taxes. But this absolute security can be obtained only in National, State, and municipal bonds, the issue of which will be altogether prohibited under my proposed system. Nor will the holder of money be able to gratify another vicious taste which has arisen under the metallic system of money: that of revelling in the sight and touch of gold and silver coins; for under

my system the coining of those metals will cease, and they will be used in the future only for ornaments, as they were used altogether in Peru and Mexico, the two countries most rich in gold and silver in their primitive times. In other words, it will root out the worst passion that afflicts the human race, — love of money for its own sake, — and put an end to the vice of usury. The holder of money will be compelled, in his own interest, to invest it in business enterprises, which will necessitate the employment of labor in such large quantities as shall insure each laborer fair wages, and therewith a fair share of the necessities and comforts of life.

The same effect will be produced in another way, if the measures that I have suggested in the article on Taxation should be adopted in regard to accumulated capital. When the money-monopolizing monomaniac learns that he cannot increase his hoards beyond a certain amount without paying a very large percentage thereof to the State in the way of taxes, and that after his death government will step in and claim a proper share of his wealth for the benefit of the whole community, from which he has drawn it during his lifetime, and thus place it in circulation again, instead of allowing it to accumulate even after his death, he will no longer feel so strong an attachment for unnecessary riches; and the days of the Rothchilds and Vanderbilts will have come to an end.

But even all these measures will only in a certain degree remove the burden of the poorer classes, and will not fully solve the conflict between the rich and the poor, unless they are at the same time accompanied by the abolition of that curse of modern life, which followed the downfall of the feudal system of warfare, — the curse of standing armies. This applies at the present time, of course, chiefly to Europe; but even the United States may take the lesson to heart as a warning for the future, as I have already suggested in the preceding article on the Police.

In a former part of this work I have pointed out the most flagrant horrors to which this system of standing armies leads, — the brutal and endless butcheries on the battle-field, the unpitying cruelty with which it sucks the best life-blood out of a nation, breaks up every tie of family, breeds a new crop of heroes to fill official sinecures, and destroys every sense of the glory of civil liberty by stirring up the ferocious pride of the soldier; but it is well in this place again to refer, and more in detail, to the less immediately

perceptible burden which it imposes on the people, — the monetary burden.

I quote from a speech lately delivered by Mr. H. Richard, in the House of Commons of Great Britain: —

"During the fifteen years between 1859 and 1874 there has been an addition to the armed forces of Europe of two million men. The total cost of the armaments of Europe have been estimated at £500,000,000 [$2,500,000,000] a year, and this vast expenditure is growing with appalling rapidity. The annual public expenditure in Europe has risen from £398,000,000 in 1865 to £585,000,000 in 1879, being an increase of £187,000,000 in the course of those fourteen years. In Russia and Germany that expenditure has more than doubled. The future was mortgaged for the needs of the present, European national debts having swelled in that period from £2,626,000,000 to £4,324,000,000. Germany, which in 1865 spent on the army and navy £10,000,000, now expends £21,000,000; and Russia has increased her expenditure on the services in the same period from £22,000,000 to £36,000,000. *By far the largest amount of the revenues of all European nations is applied in either paying the interest of debts contracted in former years, or making preparations for future wars.* Only two classes of the population are exempt from taking part in warfare, viz., the women and the clergy. The pretext constantly alleged for these great armaments is, that these sacrifices secure quiet, confidence, and a sense of security. They might just as well say, "You who wish for sobriety, prepare for drunkenness," as advise nations who desire peace to prepare for war. During the last twenty-five years there have been six sanguinary wars, involving a sacrifice of two million human beings and £3,000,000,000 [$15,000,000,000] of money. The existence of these enormous armaments is an incessant provocative to war; and the finances of the great States, or many of them, are in a condition of embarrassment; while the effect of the wars in which those armaments have been engaged sink multitudes of the people in poverty, misery, and ignorance. *How beneficial would have been the effect on the material and moral condition of the population of Europe if a large proportion of the broad stream of wealth poured into the bottomless abyss of military expenditure had been employed in irrigating the waste places of humanity.*"

It is often pleaded in behalf of these enormous outlays for armaments, as against the complaints of the poorer classes, that they in

reality benefit the poor, in affording them employment and steady pay when there is no work to be had and money is scarce; and, secondly, that the monetary burden falls, after all, chiefly on the rich, as the chief tax-payers. But both of these pleas ignore facts as well as logic. Some people are apt to make use of the word "tax-payer" as if tax-payers were a distinct class of the population, whereas in point of fact every citizen is, under our present system of taxation, a tax-payer. Upon every article of food that enters his mouth, and every article of clothing that he wears, he must of necessity pay taxes, and double taxes; for the merchant from whom he purchases, charges him not only the duties and taxes levied by the government on those clothes and that food, but also his commission on advancing the payment of those duties and taxes, besides a good percentage on the merchant's license-tax he has to pay for the privilege of conducting his business, and on the rent he has to pay for his place of business. Again, every citizen, no matter of what age or sex, pays a tax on the house he has rented, for his landlord is sure to include it in his rental; nay, even the wages that he gets are reduced in proportion to the amount of taxes that his employer has to pay. Hence every citizen has to bear an equal share of the burden of the amounts levied in support of those extravagant military armaments; in other words, it is the poorer, and not the wealthier class, upon whom the burden of taxation chiefly falls. The wealthier class, under the present system of taxation, *appear* to pay a large share; but, in point of fact, shove this burden from their shoulders upon those of the poorer class.

As for the other point, — that war gives employment to those who otherwise would be without employment, — I have to say only, that if the money now wasted for armaments were used for public improvements, there would be an abundance of healthy mind as well as moral-improving work for every citizen, and no one would need to brutalize or Cæsarize himself by becoming a butcher of his fellow-men.

Work for all men and education for all men: these are the two great levers that will, if employed as I have sketched out throughout this work, secure those grand aims which were laid down in the fundamental principles of this work as the highest ideal which the human race can reach under Liberty and Law.

LIBERTY AND LAW.

PART THIRD.

DOMESTIC RELATIONS.

CHAPTER I.

MARRIAGE.

Nature has separated the human race, for the purpose of its perpetuation, into sexes, the union of which has thus become the most important event of human life. In one way or another, every form of legislation has attempted to regulate this union, but in no instance of history, except the monogamic code of Moses, has this regulation proceeded from rational principles. It has always been based on traditional notions and existing facts and prejudices. Nevertheless, it is of infinite importance to the State; for on this union depends the transmission of name and property, and therefore it is one of the main factors in the realization of man's freedom and self-determination.

The reason why legislation has blundered more in its attempts to regulate the union of the sexes than in almost any other field, is to be found in the fact that it has confounded the moral with the legal point of view. From a moral point of view, the woman is, in the union of the sexes, the passive element, her whole activity centering in love; that is, in the surrendering of herself to the chosen one. She cannot have any other active motive without debasing herself in her own eyes, as well as in the eyes of all others, — without, indeed, what has been so emphatically termed prostituting herself. The male, on the contrary, seeks the woman. He is not actuated by such love, — meaning love to signify the surrendering of one's self to another for that other's sake, — and could not have that motive without debasing himself and the woman also. No man can surrender himself to a woman, with the self-conscious motive to gratify her, without the utmost degradation, whereas woman needs that very

motive to retain her self-esteem. This is the peculiarity of the moral relation between the sexes, and more or less typified in all physical phenomena, as well as recognized by universal public opinion.

It has been the mistake of the law-givers to take cognizance of this moral relation and apply it in the operation of the law, where it necessarily assumed a different shape, altogether wrong and unjust. In the moral world, woman does not take lower rank because her whole activity in the union of the sexes is love, nor man higher rank because his activity is primarily passionate. Both are in all respects equal, each acting according to her and his organization. But under the conception of law, which cannot take cognizance of love, the passiveness of the woman placed her in a subordinate position, and thus it chanced that legislation did not recognize woman as the equal of man. Hence the most absurd laws regarding matrimony, the relation between the sexes, the property of women, and inheritance, — laws that have been, and are still, the disgrace of mankind, and which were imposed upon woman without her consent.

I propose to consider these matters on purely rational grounds, without regard to traditional notions and prejudices.

It is clear that the law should make no distinction whatever between man and woman while they are single, or between men and widows. In all matters of property, personal right, and political position the law should apply equally to both sexes, and secure to each the power to realize the greatest good and happiness from the fit and harmonious exercise of all the faculties of their minds and bodies.

It is also apparent that a legislation which deprives woman of her personality during marriage is barbarous, and, moreover, absurd where such legislation allows divorces; for, if the marriage merged the woman's personality into that of the man, how could any subsequent declaration of the law separate that personality again? It may be logical enough that the Church, which assumes to legislate according to the moral law, should entertain this view of having the wife's personality once and forever joined with that of the husband; but it was a strange lapse of rational procedure that the common law, which pretends to look upon marriage as a civil contract, should have retained a like conception, so utterly at variance with this its fundamental principle. No man loses his personality by entering into a civil contract. Why, then, should a woman lose hers? In her moral consciousness she may thus submerge hers, and may be bound to do so;

but no government, unless it become theocratic and a hierarchy, can consider this view of internal morality, or legislate concerning it.

The government is not to apply the moral law, which addresses itself purely to the individual, but simply to furnish the means of its fullest realization, by empowering each citizen of the State to attain the greatest good, happiness, and wisdom for himself and others.

Hence the law must place man and woman in all respects on a footing of perfect equality, and secure to the married woman the same rights of personality which are claimed for the husband. The law, regarding marriage purely as a civil contract for a specific purpose, should be advised of the fact that the contract is made, and of its conditions, if there be any. Hence every such contract should be recorded in the proper public office, and every failure so to record it should subject the husband to a fine.

But in the absence of any written or other evidence of marriage, the cohabitation of a man and woman as husband and wife should constitute marriage; and the simple cohabitation of man and woman, by living together in the same house, occupying the same apartments, and deporting themselves as if they were married, should also constitute marriage in fact, whereby both parties would be estopped from denying the existence of the marriage. The law should always, in such cases of cohabitation, presume marriage to exist, thereby suppressing prostitution and seduction as far as practicable.

Concerning the conditions of marriage contracts where they exist, they must be carried out according to their intent and meaning, but they should apply only to property or rights then existing; as to all gains, earnings, and profits during marriage, they should be disposed of according to the principles of the Code Napoleon, and no marriage contract should affect them, except in cases of divorce. The law of copartnership would apply, with the exception that in case of marriage the relation must continue during life, or until the termination of it by a decree of divorce. Any other rule would render it impossible for the law to provide for the children, by regulating the transmission of property and inheritance, which should be regulated in accordance with a code requiring the descent to the right heirs of the deceased party, according to their degrees of consanguinity, so as to limit all devises to others to one-sixth or one-tenth of the estate descending in such cases. No parent should be permitted by law to exclude the children born in lawful wedlock from their inheritance,

except in cases of gross ingratitude, or rebellion against just and legal parental authority.

Divorces should be granted, where both parties consent, if proper provisions are made for the husband, wife, and children, and approved by the court. If either party objects to the divorce, the question should be decided by the court according to justice and equity, under all the circumstances of the case; but whenever it is manifest that a fatal disagreement or incompatibility of temper exists between the parties, the divorce should be granted, for the marriage has no longer any real existence when love has fled and a divorce is applied for. Indeed, in such cases cohabitation of husband and wife is no longer a sacrament, as the Church fondly supposes, but flagrant prostitution; and a state of divorce is much preferable to a state of criminality. All marriage contracts should provide for the disposition of all the property belonging to either party prior to the marriage, in case of a divorce being decreed by the court; so that on the happening of such an event the contract would govern in the division of the estates, unless special equities were shown to exist.

Where both parties consent to a divorce, and the marriage contract provides for the disposition of the property and the children upon the happening of such an event, the divorce should be decreed without any proofs or examination into the circumstances, as a matter of course. But if either party consenting to the divorce should set up any special equitable circumstances, or claims to the property or the custody of the children, in contravention of the terms of the antenuptial contract, the court should determine them when the divorce is granted.

No disability of either party for contracting any future marriage should ever be decreed on granting a divorce, unless it appears from the evidence on the hearing that the guilty party is of unsound mind, or of a cruel and barbarous nature, dangerous to human liberty or life, in which case such guilty party may be forever barred from contracting another marriage.

In case of lunacy or insanity of one of the parties to the marriage, if such lunacy or insanity becomes incurable, and is so found by a jury, the other party to the marriage should be able to obtain a decree of divorce on condition of providing for and securing a reasonable support for life of the lunatic or insane person.

If the parties contracting marriage do not desire a divorce from

the bonds of matrimony, but from any cause determine to live separate and apart from each other, and cannot agree to a division of their property between them, and as to the custody of the children, they should be permitted to apply to the court for a decree to determine their just rights and equities under all the circumstances of their case.

If either party compels the other, in such case, to abandon the homestead, residence, or place of abode of husband and wife, the injured party should be permitted to apply to the court for a reasonable support and maintenance during any such period, or for life.

In all cases of divorce for impotency, the court may decree the party demanding a divorce for such reason to support the other party during life.

The rule of law in general copartnerships is, that each partner is responsible for the debts and liabilities of the firm of which he is a member, and this rule should apply to the relation of husband and wife during marriage, if there is no contract. There should be a unity of interests in this relation during its continuance, except only so far as this may be changed by ante-nuptial contracts.

Marriage being a civil contract made under the law, or sanctioned by it when it exists *de facto*, the State should determine the age for its consummation, the disabilities that should prevent or annul it, and the impediments to its existence between certain persons. The act should be the unbiased, deliberate resolve of the parties; no other influence but pure, disinterested love should prompt it, and both parties should know precisely in what legal relation they will thereafter stand to each other. Each party should be free from all disorders of a hereditary character, or otherwise tending to shorten life or to afflict the children that may be born of the marriage, and all possible precautions should be taken to prevent the matrimonial union of diseased or unsound persons.

It is, however, the interest of the State, as the only effective remedy against prostitution and seduction, that reasonably early marriages should be encouraged. Under such a system of schools as I have proposed, whereby every pupil will be educated for a vocation in life, the contracting parties would both be able to earn a living, and early marriages would become the rule instead of the exception. The chief obstacles to marriage in early life are, the uncertainty of the bridegroom that he will be able to make a living,

and a fear that the girl whom he intends to make his wife may not have the ability or inclination to conduct their new household on economical principles. It is somewhat singular that the extravagant mode of living in our free country should in this way place the same restraint upon our marriages which in many countries of Europe interpose to prevent them. There the poor young people, who would gladly marry, and be content jointly to face the future by the exercise of industry and economy, are met by the interference of government, in some form or other, lest they or their offspring should become a burden to the community; here the young withhold from marriage because they themselves contemplate this result. The consequence, in Europe, is a cohabitation of the couple without the marriage ceremony, a state of things already so common in Vienna that legalized marriages among the poor are the exception. In our own country the result has been an increase of prostitution, which is steadily undermining the health, morality, and happiness of the people.

My system of schools proposes to check the growth of this evil at its very root, by furnishing to every man and woman of the country an education for a vocation that will always secure him or her a livelihood, and also by teaching every woman how to conduct a household in the most economical way, and carry it on upon safe business principles.

This would also check the tendency in some women to extravagance, and living beyond the legitimate means of their husbands' incomes, which is the ruin of so many business men, who are often led into hazardous ventures and reckless speculations in order to gratify the extravagant tastes of proud, idle, or vain wives.

As the system of law herein proposed will become the surest bulwark of defence against the enslavement of woman, under the different forms of despotism that have hitherto oppressed her, it is especially the duty of woman to aid the establishment of this system of government by all the means in her power, and particularly by setting such an example of economy, industry, self-sacrifice, frugality, and temperance in all things, in the household and in society, as will show her to be worthy of that full equality with man under the laws to which this system would elevate her.

It will become the duty of the Federal government to establish the monogamic system of marriage as a universal rule in the States of

the republic. This can be accomplished only by an amendment of the Constitution of the United States for that purpose, prohibiting in all parts of the republic that polygamy which has already raised its poisonous crest in Utah, and is beginning to show its demoralizing effects as the Chinese immigration increases. Polygamy is the foundation-stone of all the Asiatic despotisms, and under its corruptions the female sex has everywhere sunk to a depth of slavery and degradation almost inconceivable. Human liberty and free governments are wholly incompatible with polygamy or prostitution in any form.

It will appear from the foregoing that I claim for every individual, male or female, the same position of political rights and equality in the State, the husband always representing the head of the family, according to natural laws. This should be no new claim to those who have examined the history of our race. That eminent English jurist, Sir Henry Maine, has shown most conclusively, in his recent Oxford lectures, that woman, in early history, did occupy that very station to which the advocates of free representative governments now seek to elevate her again. Through the Roman law, the Hindoo law, and the laws of Western Europe, all these being branches of the original law of the Aryan race, he has traced the same original notion of the full equality of the sexes. There is no doubt that the separate property of the wife was conceded by the old Hindoo laws far more thoroughly than it is even now by most of the States of modern Europe.

The influence of the hierarchical teachings of Brahma, combined with the spread of polygamic practices, has gradually lowered the position of women in the Orient below that even of the slave, while in our own civilization woman has passed through the reverential phase of chivalry — which assigned to her a romantically exalted station — to her present condition of almost absolute equality with man. It now only remains to secure to her this rational condition for all time, on proper principles, so as to perpetuate our free institutions upon the solid foundations of universal suffrage and political equality for all men and women, in their triune characteristics of knowledge, wealth, and individuality.

CHAPTER II.

CHILDREN.

The children are to become the future citizens of the State, and upon their proper education and development the ultimate success of our free republican institutions depends. The addition to our population arises from natural increase and immigration from foreign countries.

Hitherto immigration has been allowed to flow into our States from every quarter, without any proper restriction or supervision; and it has already become manifest that no State can safely continue this policy without subjecting its citizens to all kinds of demoralizing, hierarchical, and corrupting influences. The Federal government alone can regulate this matter, and it is the plain duty of Congress to pass laws preventing the immigration of slaves, criminals, vagrants, pauper children, and other vagabonds, — the human wrecks of despotic civilizations. So far as the wretched pauper and orphan children are concerned, the State should assert its right to educate and provide for them at the public expense; and as for the children of citizens or foreigners born here, it is of the greatest interest to the State that they should receive the best education practicable, and be perfected in the department of life they may choose for their respective vocations. The system of schools hereinbefore described would furnish the means to accomplish this beneficent object, and increase the value and usefulness of the generation growing up under it more than a hundred-fold, and diminish crime and immorality in the same proportion.

But the question arises, Will the parents take advantage of these public means for education, and send their children to the State schools? The child naturally belongs to the parents, who are its natural protectors and instructors. Nature gave them offspring to educate and fit them for active life. The right of parents to control their children and exercise just authority over them cannot be questioned, and for this reason the State has no right to compel parents to send them to the public schools. In all these matters there should be no compulsion. The schools proposed to be established would necessarily be the best, for all purposes of general and special in-

struction, ever founded in any age of the world; but private schools may be founded upon the same plan and carried on, or the existing schools of all kinds may be remodelled and reformed so as to carry out the same objects. Though this would involve an unnecessary expense to parties undertaking the enterprise for private or sectarian purposes, the right of doing so would be unquestionable.

Nevertheless, there is no doubt that a large majority of the children in the State, especially in the agricultural districts, would attend the State public-schools; and whenever a child over the age of ten years should appeal for education and admission to the State schools, and it should appear that its parents do not educate it, then it should be admitted, maintained if necessary, and taught at the public expense. Children having no known parents, or whose parents have died, leaving them destitute, should be maintained and educated at the public expense for a vocation. So also the children who may be abandoned by their parents, guardians, or protectors, should be placed under the guardianship of the State and educated. Our "houses of refuge," etc., conducted as they are at present, are a disgrace to civilization. In like manner, all children who are sent out by their parents to beg, in any guise, or to become outcasts, thieves, or vagrants in society, should be placed under the guardianship of the State and educated.

In order to provide for the better moral training and management of all such children, a system might be adopted to place them with families in the rural districts having few or no children of their own, so that they might be adopted if possible, and where they could attend the common and agricultural schools, and enjoy the benefit of domestic care and instruction at the expense of the State, which, in the majority of instances, would be very trifling, as the child after twelve years of age would generally be able to earn its own living, without interfering with its proper education for the vocation of a farmer or for other business. If such children should prove to have great intellectual powers, they should not be limited to any special vocation, but might pass on to the highest schools and the university.

No partiality or favoritism should be shown in the examination or grading of the scholars in any school, but true merit and excellence, without regard to any extraneous circumstances of position, family, or wealth of parents, should be the only criterion for the advancement of scholars to the various grades of schools. Thus the system of education would be made to harmonize with the theory upon which

the government is based, and the scholars would learn the principles of justice, morality, equality, liberty, and law as they progressed in their studies.

In all cases of criminal acts by children under fifteen years of age, the reformatory measures should be arranged with as little exposure or publicity as possible. The present mode of dealing with children criminals is simply barbarous and immoral, resulting in dishonor and unnecessary expense to the State. All children who may become wards of the State should have every protection and advancement they may need, and they should be treated in the schools with the same regard, kindness, and attention as any other scholars.

All the sanitary measures and moral instruction recommended in this work should be fully carried out and practised in all the schools to be established, or hereafter to be brought within the scope of the system herein proposed, so that the graduate of either of the schools will pass into the scenes of active life as fully prepared to meet all its trials and vicissitudes as practicable. His certificate of graduation would be a letter of credit upon the world of intelligence and practical activity, that must insure him a livelihood and independence if he be diligent, prudent, and frugal.

THE END OF HISTORY.

CHAPTER I.

THE THEOCRATICAL TENDENCY OF HISTORY.

I have shown in the opening chapter of this work that history began with a theocracy, — the rule of God upon earth, through the direct inspiration of men in a highly developed race, — and in subsequent chapters I have traced out the gradual disappearance of that benign form of government, and the substitution in its stead of the most diverse kinds of despotisms, democracies, republics, and feudalisms; all following each other at various intervals, until mankind has at last arrived at a stage of development when the establishment of a true government in the form of a federative republic, securing equality of rights, has become possible. In the foregoing parts of the work I have sought to point out the defects to which our republican institutions have been exposed, and to suggest their remedies. But even if all those proposed remedies should be adopted, the question would still remain: Is this the end of the history of mankind, and shall mankind always remain subject to a government of law? Is there not a higher end, — an end to attain which the government of law is merely a means? These questions have already been proposed and answered, to some extent, in Chapter I. of Public Education; but here, at the end of the book, I wish once more to call attention to, and to give a perhaps more specific answer to them. This answer is, that as human history originated in a primitive theocracy, so shall it end in a perfected theocracy. But it began in a direct, unconscious, divine inspiration; and it shall end in a clearly understood knowledge of the Divine will. And the means by which this end is ultimately to be attained lies in the universal public edu-

cation to which I have just now alluded. Moreover, in that part of my work I have spoken of this end only in the terms of the rule of the moral law; which, strictly speaking, is not a theocracy. But let us see whether we cannot arrive at, and, indeed, shall not be forced to climb to a higher stand-point than that of the moral law.

The legal relation between men is one of the phenomena of the human mind; the moral relation is another. But supreme over both ranks the relation between man and the Deity. And as all phenomena of the human mind are intimately connected with each other; and considering that religion, as the highest of these manifestations of the soul, interpenetrates all human affairs, — whether legal, social, scientific, or historical, — it may well be entitled to at least a kind of supplementary treatment in a book of political economy. There is another reason why it may claim a place even in the very groundwork of such a book. This is, that religion, like all other human phenomena, has an historical existence apart from its purely internal manifestation; which historical character necessarily brings it in constant contact with law and government. In short, religion, apart from being inspiration, is also represented in history as a *Church*, to preserve the unity of the inspirations.

I shall therefore introduce the subject here, at the very close of the book, in this its twofold character; considering, first, the nature of religion and its relation to other manifestations of the human mind; and, second, the character of the Church and its relation to the State. In this consideration I shall, of course, keep utterly aloof from sectarian views and prejudices, and consider religion simply in its universal character, as one of the inborn phenomena of mind, and the Church simply as the organization of any religious body, whether that body call itself Christian, Hebrew, Mohammedan, Mormon, or Buddhist. Just as religion has in all its forms the same fundamental elements, so the Church and priestcraft reveal everywhere the same elemental characteristics, chief of which is the desire to rule supreme over their fellow-men. There are two essential relations between man, as a rational being, and the spirit-world in general. The one we have examined all along throughout the book; it is the relation of law, which connects man with his fellow-beings under the form of an established government. The other relation connects him with the universal fountain of spiritual life, whom men call God. That is the relation of religion, and though it also manifests itself under a form

of government, that government is veiled in natural phenomena not directly visible, but appearing through the ages as a divine order of natural inspiration.

In some form or other, mankind has always had both forms, and willingly subjected itself to their rule. Even the most barbarous of savages have, and have always had, a government of law and a government of religion, and at all times have given the higher rank to the latter, and considered its commands the higher law.

Originally, as I have explained elsewhere, the appearanee of most of our race was in a nomadic condition. In this primitive state the legal relation had barely any chance to manifest itself. Man existed only as an individual, or, at the utmost, as a family member, but not as the member of a people, or the citizen of a State organization. He had no relation to other men, except such as arose from the purely subjective relation of hospitality; even as to this day this condition of things exists amongst the Arabs, the Tartars, the Laplanders, and the Esquimaux. But in proportion as this legal relation did not manifest itself in the consciousness of man, his religious consciousness exhibited greater activity, and the worship of God was all the more intense. It was natural that this worship should at first have shown itself more as a worship of nature; natural that it should, in many instances, have taken the sun for the symbol of its Divinity; and natural that, together with the imaging of the Divinity as the sun, or Light (Ormuzd), there should have arisen an imaging of an opposite power, hostile to the Light, — of Darkness, or the Devil (Ahriman). We find this sun-worship not only in the cradle of mankind, the Orient, but equally intense amongst the Aztecs of Mexico and the Incas of Peru. Nay, we find it everywhere, except amongst the people whose remotest ancestors had spoken face to face with God, and delivered their traditions of His immaterial nature from generation to generation, — the Hebrews. Indeed, the simple witnessing of the phenomenon of the seasons made this sun-worship and the doctrine of two antagonistic principles of light and darkness almost a necessity.

Not only did the grand Orb of Light disappear every evening, and overcome the Prince of Darkness again every morning, but what seemed most singular was, that at the close of every summer season the God of Light seemed to lose his power, and the God of Darkness kept gaining every day, till his victory seemed assured. Hence the

joy, the immense exultation, when, after the winter solstice, and after the sun had seemingly stood still awhile, as if doubtful whether or not to surrender, it suddenly advanced again on high, gaining in light and strength every day, till in spring-time the Sun-god had recovered all his former glory. Hence the universal celebration of that solstice at our Christmas time: the day when the Prince of Darkness was overcome and the sun shone forth as the redeemer of mankind. Every mythology tells this story in its own way; and even the dead granite blocks of the great pyramid at Jeesah and the obelisks proclaim it in their astronomical construction as clearly as the fables of Osiris, Dionysos, or Ahriman and Ormuzd. It were well, however, were we Christians also to remember that this form of religion, Zabæism, is, like our own religion, essentially monotheistic, — a worship of one God, — and that in this form it still lives in Eastern Asia, for instance, as it lived among the primitive races of men.

Even Moses[1] recognizes this planetary worship as thus related to the pure monotheism of the Hebrew religion. He says, in prohibiting the worship of God in any other than a spiritual form: "Take heed, therefore, * * * lest thou lift up thine eyes unto Heaven, and when thou seest the sun, and the moon, and the stars, even all the hosts of Heaven, shouldst be driven to worship them and serve them, *which the Lord thy God hath divided unto all nations under the whole heaven.*" Meaning, that all nations except the Hebrew nation might serve the countless hosts of Heaven, as emblematic of the spiritual Father of Heaven. Whereto Father Clemens, of Alexandria, observes in his *Stromata:* "He gave also the sun, moon, and stars to the service of the *cultus*, which God established for the heathens, lest these, becoming wholly godless, should perish altogether. But those who, in spite of this concession, shall worship sculptured images, are damned unless they repent."

But as the nomadic life of man, in the manner in which I have indicated in another chapter, changed into that of agricultural and city life, his patriarchal life, with its intimate connection with a universal Divine Power, or with nature in the sun-worship, changed also in all its aspects, but in none more portentously so than in its religious phase. Instead of being the intimate friend and companion of nature, man sought only after means how best to subdue nature to his ends.

[1] Deuteronomy, chap. iv: 19.

In their city life, men were compelled to establish governments and laws; and from their establishment resulted necessarily the organization of States, and the subjection of whatever each State could lay hold of; and the universal God of primitive man became a special national God for each particular State. The Jews had their Jehovah, as the Greeks their Zeus, the Norsemen their Thor, and the Mexicans their Huitzli Putzli.

Whilst these changes took place in the religious life of the people, their legal relation changed ever more into the form of a pure despotism; and partly in consequence of this change, and partly as the result of their transformation of the Deity, their God also became an angry and despotic God, hating men for their fall from their original life and worship, and visiting upon them His wrath and displeasure, mostly without discrimination or reason. Every advance in the new civilization created by man was a source of infinite anger to these new gods; as witness the fate of poor Prometheus, who first taught man the use of fire for the advancement of the mechanical arts, and who was as cruelly punished for his temerity in teaching man the wisdom and knowledge of God as were Adam and Eve for tasting the fruit of the tree of knowledge.

Following out this new change of viewing the relation between man and God, it was natural that the whole aspect of the existing world should change. It was now believed that the world had fallen into irretrievable evil, and that man was given over to sin and the devil. To appease the God of Anger — the Bel of Babylon, the Moloch of the Bible, and the Shiva of India — it was held necessary to make sacrifices, and especially human sacrifices. The whole history of religion is full of these dreadful manifestations of man's fear of the God of Wrath. At the time of Cortez's stay in the capital of Mexico, hundreds of human victims were sacrificed each day, whilst the blood-drunk priests danced their dervish dances and chanted their devilish songs on the steps of the temple.

But man could not, for any length of time, remain in this belief of an angry, unappeasable God; — the thought was too hideous. Thus there arose, conjointly with it, the conception of a youthful God, — a son in the flesh of the unrevealed God, — who, in the fulness of his love for men, sought to procure their forgiveness and immortality by his own death for his fellow-brethren of the human race.

With the ancient Egyptians this redeemer was known as Osiris,

the son of their Sun-god; but their elaboration of his worship and plan of redemption stands so unique and peculiar in the history of religion, that it is well worth a special examination.

The ancient Egyptians then had a conception of a Supreme Deity, and, moreover, of a Deity manifested in a fourfold way, in contradistinction to the trinity conception of most of the Christians. This four-foldness they represented in this manner: The Supreme Deity is mysterious, unknown (Ammon, a name which only the priesthood dared to pronounce), but manifests itself to men as spirit (ether), matter, time, and space. As time and space, it is infinite, and as spirit also; but as matter, it is necessarily limited, — that is to say, the universe is to be conceived as a limited whole, as a globe of confined dimensions. Now this is philosophical enough, and may be considered as expressing the same idea which Fichte states in this manner: The pure ego cannot posit (become conscious of) itself without positing itself as a divisible ego (a number of intelligences, a universe of men, spirits), and at the same time as a divisible non-ego (a material world), and thereby positing an infinite space for the world of matter and an infinite time for the world of spirit. This is the true representation; and it is strange, that it should have been so luminously set forth in the records and traditions of ancient Egypt, as may still be read in the adobe libraries of Thebes. They represent that there was no creation of the world out of nothing, as taught in the Bible, but a gradual evolution, or development. It was a philosophical view of things, such as would naturally suggest itself to a common-sense mind, looking upon the phenomena of nature with a clear eye, and endeavoring to account for their existence and arrangement. It is, indeed, the mode of regarding the universe, which we meet amongst all primitive people, whereas the doctrine of a Divine creation of the world out of nothing is of much later date, and of purely speculative origin.[1]

But the Egyptians taught, furthermore, that the life of men was infinite; that as the souls of men had existed from the beginning, so would they continue to live without end. This doctrine, however, gave rise in their creed to what seems to us of the present day one of the strangest beliefs ever entertained by mankind. I allude to the

[1] See History of Occidental Philosophy. By Dr. Edward Roeth. Second Edition. Mannheim, 1862.

transmigration of souls. Their idea was, that the spirits of men were originally gods, or angels, who, through rebellion, had made themselves subject to punishment, and were consequently put into human bodies. This life was thus a penitence to be worked out, a state wherein those souls were to purify themselves and work out their salvation. Those men who succeeded in effecting this purification were supposed to go to Heaven and rejoin the gods. Those, on the other hand, who did not succeed were supposed to become reincorporated in other bodies, — human or animal, — until they had finally become purified and fitted for immortality. The redeemer for these fallen ones was Osiris, son of the Sun-god, Ra, who every evening, with sundown, was represented as going down to Hades, and by his grace lifting them up in the morning to endless life in the blessed regions of the Sun-god's dwelling-place.

That I have not exaggerated the religious culture of the ancient Egyptians, will appear from the following extracts from the so-called "Holy Legend" (ιερὸς λογος), which Pythagoras brought, with all his other acquirements, from Thebes to Greece, and made the foundation of his religious teachings to those of his scholars who — after many years of probation, of mathematical, musical, astronomical, medical, legal, and other studies, and a carefully watched, pure mode of living, under prescribed rules — were at last deemed worthy to be initiated into the deepest, the most religious doctrines of his lore.

In regard to the physical lore that Pythagoras brought from Egypt, I need simply refer to the science of music, which he taught the Greeks; the Pythagorean problem, which embraces the whole of Euclid; and the dogmas of the rotundity of the earth, its revolution around the sun, and rotation on its own axis; all of which sciences he brought from Egypt to Greece, as is well substantiated, not only by second-hand Greek accounts and original Egyptian hieroglyphics, but also by the great pyramid of Jeesah, that arises in the deserts of Northern Africa. Naturally enough, we always speak of the discovery, that the earth should be regarded as coursing around the sun, as a modern one of the Copernican system; but Copernicus lived some fifteen hundred years after Christ, and Pythagoras some seven hundred years before Christ, and the great pyramid of Egypt, from which country Pythagoras brought his lore, and which teaches that lore in its giant granite blocks, was erected more than four thousand years ago. And there is no historical difficulty in tracing the spread

of this astronomical lore from the priests of Thebes to Pythagoras of Greece, and from Pythagoras to Hipparchus. Nay, the so-called Copernican system flourished in Europe several hundred years after Christ. Copernicus received the doctrine of Pythagoras, and thereby paved the way for our modern science of astronomy.

So far as the religious lore which Pythagoras brought from Egypt is concerned, the "Holy Legend" must speak for itself. It has, it is true, been traditionally ascribed to a mythical Orpheus; but ancient historical records as well as the text itself — in the purest Greek — fix Pythagoras as its author, and manifold testimony of other kinds leave no doubt that it is a mere translation from the Bible of ancient Egypt, as taught to Pythagoras by the priests of Thebes.

"Oh, Thou ruler of ocean and land, of ether and abyss. Thou who causest the firm Olympus to rock to and fro at thy thunder. Thou, before whom the spirits shudder, and e'en Thy gods tremble; whom e'en the fates obey, they to all other things unimpressible. Oh, Thou eternal father of mother nature, to whose will all things bend; who covers the heavens with clouds; before whose lightning the ether divides. Thine is the order of the stars; they course after Thy unchangeable command. Thine is young spring, aglow with purple flowers. Thine the storm of the winter, which wafts the snowdrifts onward. Thine the Bacchic-jubilating autumn, which distributes fruits. Eternally immortal Being, nameless to all but immortals, come to us. * * * But do thou, O mortal, always changingly inclined, no longer hesitate, but retracing thy steps, make the Divinity inclined to thee!

"First, above all, honor the immortal gods (meaning, in Christian speech, the highest angels), as custom has prescribed. I hold high in esteem the noble heroes of old, and also show the usual devotions to the demons under the earth. Next, honor thy parents and thy nearest relations. Of other men choose as a friend some one who is prominent by reason of his virtues; and do not turn away from him by reason of small foibles. Habituate thyself to control above all thy stomach; next sleep and profligacy, and then anger. Thou shalt commit no immoralities with others, nor by thyself, for it best becometh thee to nourish shame before thyself. Further, learn to practice justice in works and words, and in no thing in life to act irrationally; but consider, that death alone is sure

for us all; whereas earth's goods are now won and now lost. Hence, whatsoever sorrows Heaven's fate sends to mortals, bear thy share without murmuring. Try to heal the sores as well as thou canst, and try to believe that fate has after all not assigned too much suffering to the meritorious. * * * But, above all, let nobody ever persuade thee by word or action to do or say what thou recognizest not thyself as the best. Before acting reflect, lest thy act should turn out foolishly; and do only that of which thou wilt not thereafter repent. * * *

"Never let sleep sink upon thy tender eyes before thou hast examined every act of the day in three ways: What did I? Where did I wrong? Did I leave no duty undone? Hast thou done wrong, then tremble! But if thou hast done good, rejoice! When thou hast attained this, then the connection between the immortal gods and mortal men will become clear to thee, and how it penetrates and governs everything; but also how nature remains in a general way always the same. In this way thou wilt hope for nothing impossible, and be surprised by nothing, and wilt learn that men also suffer from self-caused evils. * * *. Courage, then, since the mortals are of divine origin, and their consecrated nature teaches them everything. If this was not withheld from thee, thou also shalt succeed as I tell thee, to redeem thy soul from these sufferings and heal its wounds. Only avoid the first steps of evil, and strictly watching thyself, purify thy soul for its redemption. Reflect upon everything closely, and choose reason as thy highest and supreme guide. Then, when leaving the body, thou mountest to the free ether; and thou shalt be immortal, a blessed spirit and no man more."

It has been wrongly supposed that the ancient Egyptians worshipped animals, because in their hieroglyphs animals are made, in conjunction with other signs, to represent gods. The explanation of this phenomenon is very simple. Those animals were used for hieroglyphical writings, as indicating by the first letter of their vulgar name the first letter of the word that was to stand for the special deity to be named. For instance: the picture of a bird whose Egyptian name begins with an N, stands for the letter N. In the same way the sphynx represents, in the shape of the lion-body (which lion signifies the sun, Osiris's dwelling-place) with the human head attached to it, this same Osiris as a living man and intelligence. And as Osiris was the redeemer of the Egyptians, they put up

sphynxes in commemoration of him, just as we put up crucifixes, and in the same proportionate number. And this is the whole riddle of the sphynx.

Much in the same manner as the Egyptian legend of Osiris is the more Oriental story of Bel, the Babylonian god, who had by his wife Beltis, — called by Herodotus, Mylitta, — and who is identical with the Greek Urania and Astarte, the wife of Uranos and the Queen of Heaven, a son named Duozie, who, on his part, is identical with Adonis, and who also suffered death and descended into Hell, or Hades, on every autumnal equinox, amidst the greatest sorrowing and despair of the people; and from which he arose on the eighth day, when the joy of the people became as tumultuous as their grief had been before harrowing.

So also in Greece, we have the son of god, — of Zeus, — Dionysos, whose mother, Persephone, is identical with Astarte or Kybeles. He, too, suffered for the sake of appeasing his father's wrath, died and was buried in Delphos, where, every year, at the shortest day, the Mænads celebrated his glory by the wildest excesses. All shame and modesty were thrown aside. Rattling their tyrsos-staffs and shouting Evohoe! ringing their cymbals, blowing their horns, and filling the air with their shrill pipes, they indulged in the most drunken and obscene orgies to show their love for the shamefully murdered man-god, whom the Titans had literally torn to pieces. Dionysos also, like Osiris, descended to Hades, where, together with his mother, they also work the redemption of the souls of the dead, and thus make death simply a process of purification for a new and better life. This story of Dionysos and Persephone was the one celebrated by the Greeks in their minor famous "mysteries."

The greater mysteries of Eleusis, however, took up the sequence of this story; for the son of god arose again from death, and, having conquered death for himself, descended again to Hell to liberate Persephone; and it is this redemption which was represented at the great Eleusinian mysteries. Hence the exceptional reverence which the Greeks entertained for those festivals. "Thrice happy," says Sophocles, "are they who have seen these mysteries before they descend to Hades! for they alone have life there; others, simply misery!" "Happy," says Homer, "who has beheld them of earthly mortals! But he who never participated in them, — nothing can be compared to his lot when he is dead, down there in the dismal darkness!"

All of this goes to show, what I have suggested before, that monotheism was the real religion of the primitive people, even after they had changed their conception of a friendly, companionable God for one of a God of wrath, and that the only consequence of this change was the general feeling of the wickedness of the world, the sinfulness of man, and the necessity of a redemption through the self-sacrifice, unto boundless suffering, endless persecution, and physical death, of a human incarnation of the Deity.

It will be noticed, as a curious feature in the history of the development of religion, that whereas the otherwise most perfect, spiritual, and directly inspired religion of the Hebrews, with its unsullied monotheism and implacable hatred of even all material representations of the Deity ("thou shalt not make unto thyself any graven image," etc.), did not busy itself about immortality, held no doctrine on the subject, — nay, even denied an immortal life, in one of its chief and most popular sects, the Sadducees. The so-called Pagan religions held the faith in God inseparable from faith in immortality. Their god, crudely conceived and materially imaged as he was, existed to them only as a redeemer from sin and dispenser of immortal life in a Heaven beyond; the Paradise of the Jew was here on earth, even in the land of Canaan, and the only redeemer to whom he looked forward was a Messiah, — that is, a real king, who should redeem Canaan from foreign subjection. This will explain why a modern German philosopher (Dr. Hugo Delff) of great repute, and nevertheless — strange to say, in these our days — of rather mystical tendency, should deny to the Jews almost the possibility of becoming Christians; an assertion, however, which history amply proves to be true. I quote from one of his latest works: —

"The whole process, the whole life-work of mankind, has for its object to overcome death. But this object is morally conditioned. Or, rather, it results as a consequence of a higher internal development of life. The more man develops himself within himself humanly, *spiritually*, and the more he feels himself in his inmost spiritual being, as therein distinguished from and elevated above nature and nature's laws, the more peculiarly he also becomes conscious of having overcome death. This is the life-conflict of mankind, the conflict between spirit and nature, — that is, of nature as it is in itself, — of wild nature; and the last enemy of mankind is death, the end of nature. Nature begins in order to end, and ends in order to begin; creating

and destroying unite in nature. Man, comprehending himself within himself in a higher being, transcends the beginning as well as the ending of nature; he has overcome the world and death. This is the best proof of immortality — the Being, the Eternal Life — which man lives in himself; and there is no other proof than this. To believe in a Heaven, and yet 'to hold it a beautiful fairy tale,' is all the same. Miserable men! Live Heaven, and you will remain in Heaven, and nobody will expel you from it. What is all this vanity about, this coquetry to look with heroic resignation into the face of death, — of annihilation? Aye, if you feel nothing, it may well be that in such nothingness even the nothing shall not appear to you any longer wondrous. But you forget the will. Who can extinguish the fire of the will? It must burn, I apprehend, unto all eternity. But immortality, true immortality, eternal life, is a need of the *soul*, and is the *deed* which it does with and in God.

"*Hellenism and Christianity are not opposites, but Judaism and Christianity are opposites, absolutely irreconcilable and excluding each other.* Judea, the dead remnant of which is Judaism, was merely the hull wherein which Christianity secretly prepared itself, until it burst this hull and entered in full clearness into the world. Hellenism cannot perish so long as the world stands, and Christianity presupposes Hellenism as well as absorbs it, in order to impregnate it. The true, historically proven road to Christianity does not pass through Judea, but through Hellenism. Judea is a bursted hull, — a means of development which has now become superfluous and without importance. The Jews do not know what they worship. Hellenism is the whole, full content and encirclement of the spiritual powers and effects of life, so far as they are included and designed in the natural, — that is, inborn consciousness. These had to be developed and interpreted beforehand; and Christianity enters to replenish them, — to interpret their true essence, objects, and motives. Hellenism interprets spirit in a natural form and direction, but Christianity interprets the spirit in itself, — the subject of the spirit, which has thrown its glow and glimmer from the beginning into the natural and nature-bound consciousness of mankind, and still so throws it. Light shines in darkness, but darkness comprehends it not, — that is, it comprehends only the glow, and that it did very well comprehend and interpret wonderfully; but not itself, — not the light itself."

While thus the Hebrews had a pure God-worship, — at least theo-

retically, — but lacked the conception of immortality, and while the Pagans, though having the conception of immortality, lacked that of a pure God, there arose among the Jews a religion which united both conceptions, not only theoretically, but also historically, in the person of Jesus Christ, who, by effecting this union, was therefore enabled to become the Redeemer of the whole world, Jews and Pagans. To the Greeks and Romans there seemed nothing strange in the doctrine of vicarious atonement, upon which the Christian religion rests as its corner-stone, though to the Jews it seemed foolishness; for the Romans and the Greeks had had the same doctrine, even in a crude way, preached to them in the Eleusinian mysteries and the myths of Osiris and Dionysos. Nay, even the bodily resurrection of Christ and his bodily ascension to Heaven had for them nothing incredible or marvellous in it. And what, indeed, is there in that all-important doctrine of vicarious atonement which should so arouse the ire of men who consider it a proof of their intellectual superiority that they should oppose the Christian form of religion? Is not in some way every great or good man, who works for the advancement of his kind and their liberation from the thraldom of sin, a redeemer of his kind? And does not he atone for his kind by the suffering he has to endure in the course of his labors, by the agony which weighs upon him who has arrived at the consciousness of the sinfulness of his kind, and which increases in proportion as the consciousness of that sinfulness increases? Whether we will or not, we do vicariously atone daily for the transgressions of our race, and it is only narrow-minded ignorance of the meaning of this doctrine that can scoff at it. Through all great and good men the Deity reveals Himself more or less to the fallen race, that has grown up in darkness to look upon Him as an enemy; through all of them it strives more or less to effect reconciliation between Himself and man, but only in Christ did the glory of God shine forth in all its fulness, and man was taught not only to walk hand-in-hand, as it were, with God through the world, but also with and through Him with every one of his believing fellow-beings. It was only through Christ that, in his beautiful anthromorphization, God became a "Father" and all believing mankind brothers and sisters.

This, the other fundamental doctrine of the Christian religion, is usually called the *revelation* of God through Christ. Like the doctrine of atonement, it also has met with violent opposition and scoffing,

chiefly from a misapprehension of the word. The natural scientist is willing enough to speak of a one persistent material force *revealing* itself in an infinite multitude of correlated forces; but, with perverse self-contradiction, will not even lend an ear to the revelation of a one *spiritual* force or power (God) in an infinite multitude of correlated self-conscious or spiritual forces (men), that live, move, and have their being in the persistent One alone, and through His self-sacrifice in manifesting Himself in all of them, — even as the one force sacrifices itself in becoming a manifold at the same time, — making them immortal in and through Him. To carry the analogy still further: The one persistent force of the natural scientist reveals itself in the least breath of air that moves the tiniest leaf, as well as in the electric currents that shake the bowels of the earth and cause the sun itself to throw its spots from one part of its surface to another. But how much clearer does the conception of a magnetic and of an electric force *reveal* the one persistent force than does the force of the zephyr! Even so the lowest human self-consciousness reveals the one spiritual life; but in a far clearer light do we recognize it in men like Moses, St. John, or, let us say, Thomas à Kempis, or Kant. Still further: the zephyr force may change into heat force, and again into magnetic force, yet will it in all these transitions remain one with the universal persistent force, and at the same time retain its individual zephyr nature; for nothing that ever has been can ever completely divest itself of its past, but must reveal that past to close examination. The whole science of geology rests on this principle. So may the lowest spiritual being rise from its incomplete state unto higher and higher regions of development, and reveal ever more and more the supreme light of the One Spiritual Life. Yet in all its transitions of development it will remain one with God, and at the same time retain its individual consciousness. This is the true immortality, and the true revelation of God; an everlasting inspiration of man by the One Spiritual Life, wherein all men are centred; and which to awaken in them and through them to manifest, in all its elements of goodness, beauty, and wisdom, is the purpose of the system of government which I have proposed in this book. For that purpose is, as I have stated in the fundamental principles: "*Affirmatively:* To provide for the harmonious, temperate, fit, and best use attainable of all the faculties of mind and body of each person, so that each one may have, under the law, the possibility of attaining,

without any of the hinderances of ignorance, impurity, fraud, or tyranny, the greatest good, happiness, wisdom, inspiration, beauty, love, and perfection of which his faculties and organization are capable: first, for himself; second, for his family; and, third, for the society or State in which he lives. *Negatively:* To prohibit each person from intemperate, inharmonious, reckless, hurtful, or unfit abuse or use of either or any of the faculties of his mind or body."

All great thinkers of the world are agreed on this conception of revelation or inspiration in religion as its supreme element. When the uncultured Greek conceived the Deity as a Nemesis, — *i.e.*, a purely destructive power, — men like Plato and Aristotle replied, that God was not *envious*, — that is, not desirous of concealing His glory from mankind. "It lies essentially within the conception of true religion," says Hegel, "that is, of that religion whereof the content is the absolute spirit; that it should be revealed, and revealed by God. For since knowledge, or the principle which constitutes substance, — spirit, — is *self-determining*, as the infinite form which exists for itself, it is necessarily a *manifesting*. Spirit is spirit only in so far as it is spirit *for* spirit, and in absolute religion it is the absolute spirit which manifests, no longer merely its abstract moments, but itself."

In a still higher form this revelation of God in man and through man, this completeness of Divine inspiration, which makes man a real "child of God," as Christ expresses it, finds its utterance in the Catholic mystics, such as Thomas à Kempis or Angelus Silesius (Johann Scheffler), who says: —

> "I am as great as God; as I, so small is He;
> He cannot over me, I not below Him be."
>
> "I am as rich as God; there can no dust-speck be,
> Which I hold not with Him in common property."
>
> "God is my soul, my flesh, my sinews, and my blood:
> How, then, should I not now throughout be God-imbued?"

From this constant revelation of God, it also appears, that religion is not arrogant, but merely logically consequent, when it says that we can know God. "The cognition of God," says Hegel, elsewhere, "is not above reason, for reason is only God's image and reflection, and is essentially the knowledge of the absolute."

It has of late years become fashionable to deprecate drawing any

distinction between the Christian religion and other forms of religion. I have already shown its distinction from the Jewish religion, in that it combines the conception of immortality with that of one God, and of a revelation of that one God, — preëminently in Christ, but through Him also in all men, — which revelation, or inspiration, secures to man absolute freedom. For when God, who is love in this Christian revelation, enters man, and reveals Himself through man, by this same love, man is no longer determined by any external, foreign being, but lives in absolute liberty and beatitude. How can the man who has risen into and become one with the Godhead, though still retaining in full his individual identity, be other than free? How can he feel the One Spiritual Life, of which he is an integral part, as a predestinating power, or a rude rule of fatalism? He nowhere comes in contact with a supreme power alien to him, choosing or guiding his destiny, so as to deprive him of his freedom; for him there is no external Providence, since that Providence lives in and through himself. The Christian religion unites, therefore, not merely two conceptions, but the three grand ideas which for all ages have been held to be the highest problems of philosophy: God, Freedom, and Immortality. In the Christian religion these three conceptions, which, as Kant has so beautifully demonstrated, could never have been proved by theoretical reason alone, have received *factical* existence and proof. In the Christian religion God is a fact, immortality is a fact, and freedom is a fact; and higher proof cannot be given. And this elevates Christianity, as I have said, above all other religions, and constitutes it the *absolute* religion.

As for the Oriental religions, of which those modern deprecators of Christianity so love to speak, they are even below the religions of the Greeks and Egyptians; just as their symbolic representations of religion are infinitely below those of Greece and those of Egypt.

What, for instance, is the essence of the religion of the ancient Persians, the religion of Zoroaster? The very highest praise that can be given to the Zend-Avesta, the Holy Book of the Parsees, is, that it inculcates truthfulness, purity in works, words, and thoughts, charity and piety. Their worship of light, as the representation of God, is certainly a higher conception than is involved in the worship of a wooden or stone image; but the whole religion is purely a code of morals, and never rises above a moral life to a divine life in and with God.

The Brahmin religion finds its highest expression in the Bhagavat-Gita. The main principle here is an escape from actual life into the absolute by a sort of ecstacy, into a state of complete indifference or non-identity (*yoga*). The object of the Brahmin religion is to produce a condition wherein man feels neither hatred nor love, but is passively emotionless. He is to become "free of fear, desire, and anger, without hope or aspirations, indifferent in good or bad fortune;" he is "to gather in his senses from the sensuous, as the turtle gathers in his head and feet," and "to hold his heart so tight that he even ceases to think." The idea of a perfect man in the Brahmin religion is that of one "who is the same towards friend and enemy, strangers and relatives, bad and good." How is it possible that this cold neutrality of a *blasé* race of men could ever have been put into comparison with the incessantly active and sympathetic love which Christianity insists that men must cultivate, even as the Father in Heaven manifests Himself for evermore in active graciousness and love?

As this matter has grown of importance, now that we have every day told to us by men of professed erudition, and whose names impress the unlearned multitude, how superior the Oriental forms of religion are to that of Christianity, I may be pardoned for quoting here, as an offset, so to say, Hegel's characteristic of the Brahmin religion. He says: —

"Notwithstanding the fecundity, the brilliancy, and the grandeur of their conceptions, the Hindoos have never possessed a clear sense of persons and events, — the true historic sense. In this constant amalgamation of the absolute and the finite, the complete absence of positive spirit and of reason cannot fail to be remarked. Thought permits itself to wander amidst chimeras the most extravagant and the most monstrous which the imagination can possibly produce. Thus: *First*, The conception of Brahma is the abstract idea of Being, without life or reality, deprived of real form and of personality. *Second*, From this idealism, pushed to the extreme, the intelligence precipitates itself into the most unbridled naturalism. *Third*, It deifies objects of nature, — animals." Divinity "appears under the form of an idiot man, deified because he belongs to a certain caste. Each individual, because he is born in this caste, represents Brahma in person. The union of man with God is reduced to the level of a simple material fact. Whence, also, the *role* which the law of the

generation of beings plays in this religion, which gives place to the most obscene representations. It would be easy to render apparent the contradictions which swarm in this religion, as well as the confusion which reigns throughout this mythology. A parallel between the Hindoo and the Christian trinities will show none the less the extreme difference. The three persons of the former are not persons; each of them is an abstraction with respect to the others. Whence it follows, that if this trinity has some analogy with the Christian, it is inferior to it, and we should guard ourselves from thinking to recognize it in the Christian dogma.

"The part which corresponds to Greek polytheism demonstrates equally its inferiority. Here we must remark the confusion of those numberless theogonies and cosmogonies which contradict and destroy one another, and wherein the idea of natural — not spiritual — generation distinctly dominates. Obscenity is often pushed to the last extreme. In the Greek fables, however, and in the Theogony of Hesiod in particular, we often catch a glimpse of the moral sense. Everything is clearer and more explicit, more strongly united, and we do not remain shut up in the circle of the divinities of nature.

"In denying to Hindoo art the idea of true beauty and of genuine sublimity, we must not forget that it offers us, chiefly in poetry, scenes from human life, full of attraction and sweetness, many graceful images and tender sentiments, most brilliant descriptions of nature, charming traits of childlike simplicity and *naïve* innocence in love; to which, at the same time, is occasionally added much that is grand and noble.

"But as for that which concerns the fundamental conceptions in their totality, the spiritual cannot disengage itself from the sensuous. Side by side with the most elevated situations we come upon the most insipid triviality, — a complete absence of precision and proportion. The sublime is only the measureless; and, respecting what holds good at the basis of the myth, imagination, seized by a dizziness and incapable of mastering the flight of thought, wanders into the fantastic, or only produces enigmas, that have no meaning for reason."

As for Buddhism, finally, which is held up as the model religion of the Orient, if not of the whole world, it is even more *blasé*, if possible, than Brahminism; as is natural, seeing that it is the religion of a man (the son of an elephant) who, after having tasted all the delights of life (some eighty-four thousand wives, *par example*), and having

been satiated to disgust therewith, sought to obtain peace of soul by means of meditation and an ascetic life; and sought this peace, not in love-activity and self-sacrifice for others, as the Christian seeks to obtain his beatitude, but in an utter annihilation of soul-life. This condition of the soul is called by the Buddhists *nirvana;* and being a Hindoo word which nobody seems to be able to interpret correctly, has wonderfully impressed those who are shocked at the lucid, unmistakable doctrine of immortality in the Christian religion, and has caused them to write books full of nonsense in praise of Buddhism.

According to Sir Chas. Colebrooke, — probably the best authority on the subject, — *nirvana*, when used as an adjective, signifies expired, or extinguished, — as, for instance, an expired or extinguished fire, or a candle that ceases to burn. Again, it signifies dead, — as when applied to a saint who has left this world for a better one. It is derived from *va*, to blow (as the wind blows), and the preposition *nir*, which is a negation; hence the whole word, *nirvana*, signifies unmoved by the wind. (The Bhagavat-Gita speaks of the same condition as a "windless place." But when the word is used as a substantive, and in a philosophical sense, it signifies a *complete apathy.*)

If Sir Charles is right, therefore, all those who have interpreted *nirvana* as signifying a state of complete *annihilation* have been sorely mistaken; and this includes by far the greater proportion of Buddha-worshippers amongst our own people of the Occident. Even Schopenhauer adopted this erroneous view, probably because it suited him to represent his system of pessimism as the doctrine of "the largest religious sect in the world."

This, however, is also a preposterously exaggerated statement, based on the assumption that all of China has adopted the Buddha religion. Now, it is well known that there is no State religion in China, all sects being tolerated. The literary class, and a considerable portion of the people, — the less ignorant, — hold to the doctrines of Confucius, though little heeding them. Followers of Laoutze are still to be found amongst the ruder tribes. But the greater number of the Chinese are quite indifferent to religion; the idea of a divinity being, indeed, something for which the Chinese mind has no affiliation. Buddhism, finally, though it undoubtedly is still spread over a considerable portion of China, is in a state of gradual decay, and has dwindled down to a mere image-worship, purchase and sale of idols, charms, amulets, rosaries, etc. The Chinese, indeed, are

essentially prosaic, and hence incapable of seizing whatever of spiritual significance there is in Buddhism; they are, moreover, preëminently vicious, and hence incapable of carrying out the purely moral precepts of Confucius.

Max Mueller also says, in speaking of *nirvana:* It certainly signifies to expire, but also occurs in Brahminic writings as the synonym of *mokscha*, *nervritti*, etc., terms that signify the highest stage of spiritual freedom and beatitude, but do not signify annihilation.

Another authority, Koeppen, says: "*Nirvana* is the place where we gain salvation from the misery of birth!"

The holy books of the Buddhist have sayings like these: —

"If a man can bear all things he has attained *nirvana.*"

"He who conquers passion and hatred enters *nirvana.*"

"The wise man, who harms no one and subjugates his body, attains *nirvana*, and suffers no longer when he has attained it."

This, then, is really the end and aim of the two chief forms of Oriental religions: to attain a state of the mind wherein we are utterly indifferent to all external occurrences and things, looking with the same plain unconcern on vice and virtue, good and bad, sunshine and darkness; in short, to reach the beau ideal of the modern man of the period, who seeks to attain this blessed state by stupefying himself in the narcotic poison of every vice he can absorb into his physical nature.

And we are gravely told, that these forms of religion are of equal worth, if not superior to the religion of Jesus Christ, and should receive the same, if not a higher consideration than that religion, in the selections made for the "readers" of our public schools. To me it seems that, even from the formal stand-point of the law-giver, the bringing up of children in forms of faith like that of the *yoga* and *nirvana*, or, in other words, that the teaching them that the highest aim of mankind is to suppress all activity of body and mind, and to become a *loafer*, pure and simple, — a lazzaroni, a public beggar, etc., — ought not to be tolerated by any form of government that means to perpetuate itself; for those forms of faith annihilate all government and render impossible the enforcement of law.

Of all the Oriental forms of religion, only the sayings of Confucius are worth notice; and even they read very coarsely. If an old adage, that the culture of women in a State indexes the culture of the whole population, is true, then the civilization of China is the lowest ever

known on earth; for the Chinese woman is taught at her birth that she is an inferior creature; and a large proportion of the unhappy creatures are smothered, exposed for possible adoption, or sold in their infancy. Those who survive are brought up clumsily shaped, from bottom of sole to top of head. Finally, the great boast which our Occidental students of Oriental culture preach forth these days, that the Chinese have universal public education and civil-service reform, is utterly wrong. So far as women are concerned, it is altogether wrong. The Chinese women, if in the lower rank, are rigorously prohibited from cultivating their minds, excluded from all benefits of public education, and, with very rare exceptions, do not even know what civil service is. But even so far as the men are concerned, the poor classes — that is, the vast majority of the people — grow up in utter ignorance, and only a special class cultivates letters.

The only religion showing the true characteristics of faith, hope, and charity is the Christian religion.

CHAPTER II.

THE DANGERS OF A PRIESTCRAFT THEOCRACY.

Having thus arrived at a knowledge of the nature of religion, I shall now proceed to the consideration of its historical existence as a Church. There was naturally no need or possibility of a Church organization while men led simply the nomadic life which I have described, nor was there any necessity for a special institution of priests, as intermediaries between man and God, while man remained in direct personal communication with God. It was only with the rise of cities that temples were built; and it was not until the need of labor and the desire for gain so engaged men's minds, that their direct inspiration through God became clogged, and required an external force for its reopening. This external force was supplied by the priests through exhortations, and such other solemn ceremonies as seemed to them calculated to arouse the dormant religious sentiments of the masses. Naturally this priestly power grew in proportion to the growth of ignorance, and consequent alienation from God, amongst the common people, until, in the course of time, the priesthood came

to be looked upon as a class of men altogether distinct from the mass of ordinary human beings, — a higher order of creatures, — through whom alone the common mortal could hold communion with God, learn His commandments, and obtain His forgiveness.

Of all the passions that arise in the human soul, love of power is the most demoniac, seeing that its sole object is the subjugation of the free will of others. The essence of man is freedom; and it is the destruction of this freedom, this supreme quality of rational beings, which the love of power contemplates. In one way this passion had made itself manifest in an early period of the history of our race, as I have shown, by the assumption of rule on the part of some strong-willed men, and the consequent establishment of despotic governments. And now there arose by the side of these secular rulers a vast number of ecclesiastical rulers, animated by the same passion, — of subjugating the free will of others, — and furthered, moreover, in this design by the people themselves, who were but too ready to accept the mediation of the priests between their conscience and God, instead of working out that mediation for themselves by self-sacrifice, repentance, and exertion. This inertia on the part of the masses, and consequent readiness to submit to priest-rule, — as they had already submitted to the rule of tyrants, and as in the course of time they submitted, with the same passive readiness, to the rule of the money-lords, — was naturally stronger in proportion to their ignorance and stupidity.

Hence Kant says very aptly, in his "Critic of Pure Religion": —

"The worship of powerful invisible beings, which was forced from man by a natural fear, founded on the consciousness of his impotency, did not begin at once with the beginning of religion, but arose in the shape of an *idol-service*, which, after having obtained a certain public legal form, became a *temple-service*, and which ultimately became a *church-service* only after the moral culture of man had been united with that legal form."

The same general view of the relation between church-service and religion is expressed in a more philosophical form by Professor Rosenkranz, in his commentary on Hegel's Encyclopædia, as follows: —

"Religion realizes its conception partly through theoretical and partly through practical authority. In regard to the former, it becomes a belief in the form in which a religion assumes to represent the idea of God to our consciousness. The *cultus* causes the thinking

of man to sink down into, and be absorbed in the thought of God. It annuls itself, thinking with all the broadness of its finite conditions, in thus making present unto itself the Absolute, Eternal, in and through Himself, as a self-existing Being. This is the point. The formal accreditations which faith put forward to attest its truth, such as external authority, stories of miracles, etc., are really of no importance. A miracle has no religious significance, and in religion we have to deal only with matters of religion. In a practical respect, however, the *cultus* assumes various forms, the central point of which is the sacrifice. In the religion of the spirit this changes into a sacrifice of the heart, — that is, of the natural egotism of our feelings."

But to express in the clearest and most thorough manner the relation of the *cultus*, as church-service, to religion pure and simple, and to arrive in the shortest way at the point where Church and State come into conflict, let me once more quote from Kant's great work, of all his four Critics perhaps the foremost in popular appreciation. It is the more interesting when we remember that this Critic — the Critic of Pure Religion — was the work which brought Kant, at the time of its first publication, in conflict with the Prussian government; the Prussian clergy having induced the pietistic King Frederick III. to suppress the work. Connecting with the above quotation, Kant proceeds: —

"To divert the invisible power which rules the fate of men, to their own advantage, is the object which all religious people have in view; and they differ only in regard to the means, which to employ. If they look upon that power as a rational Being, and hence ascribe to it a *will*, which is to decide their fate, then their desire can be only directed towards the selection of the manner in which they can please that Being by their actions. If they think that it is a moral Being, they can readily convince themselves, through their own reason, that the condition under which to acquire its approval must be a moral, pure mode of living, and especially a pure heart, as the subjective principle of a pure life. But perhaps the highest Being may wish to be served, furthermore, in a manner which cannot become known to us through mere reason, namely, by acts in which, by themselves, we can see nothing moral, but which we nevertheless perform voluntarily as commanded by Him, or were it but to show our submission to Him; in both of which cases, if those acts constitute a system of regulated acts, they therefore establish a *service* of God.

"Now, if both are to be united, either the first one must be assumed as an immediate service, or one of the two must be regarded simply as a means for the other, — for the true service of God, for the true manner in which to please Him. It is self-evident that the moral service of God (*offierum liberum*) must please Him immediately. But it cannot be considered as the chief condition of all God's satisfaction with man, if the other service, which may be called a service of wages (*offierum mercenarium*), can be regarded as being also *alone and of itself* pleasant to God; since in such a case no one would know what service would be preferable to God in a specific case, and would consequently be unable to direct his duties accordingly. Hence we must consider acts which have no moral value in themselves, as being acceptable to God only in so far as they serve to promote that which is of itself good in our acts, — that is, morality; or, in other words, only in so far as they serve the moral service of God.

"Now, the man who nevertheless practices acts, which in themselves contain nothing pleasant to God (nothing moral), as a means to obtain the Divine, immediate satisfaction, and thereby the fulfilment of his wishes, is reputed to be in the possession of an art whereby he can produce a supernatural effect by altogether natural means. This art is usually called *witchcraft;* but since this word has also the meaning of a communion with the evil principle, whereas the art of which we speak may be practised, after all, with good intentions, we shall rather call it Fetish-worship. But if a man claims that he can produce a supernatural effect, he claims that he has a power over God, and uses God as a means whereby to produce an effect in the world which his own power cannot produce; nay, which his own insight cannot even show him whether that effect will be acceptable to God or not. The mere conception of this presumption involves an absurdity. * * *

"Priestcraft, therefore, is the organization of a Church, in so far as a Fetish-worship is established in it, which is always the case where it is not morality, but statutory or canonical commandments, rules of faith, and ceremonial observances that form its basis and essence. Now, it is true, that there are many Church forms wherein the Fetish-worship is so manifold and mechanical, that it seems as if it were intended to take the place almost altogether of morality, and hence also of religion, and thus approach very closely to the forms of

Paganism; but the more or less is of no consequence here, where the worth or unworth of acts depends upon the quality of the highest uniting principle which prompts them. If this principle demands obedient submission to a rule, as a slave-service, and not a free acknowledgment, — which is due to the moral law before everything else, — then, let the imposed observances be ever so few, it is always a Fetish-worship which governs the masses, and by their submission to a Church deprives them of their moral freedom. Whether the government of such a Church be its hierarchy, be monarchical, or aristocratic, or representative, this concerns only its organization; but its operative results will, under all these forms, remain the same, — despotic. Where the statutes of faith are counted in as belonging to the constitution, or creed, or canonical law, there a priesthood (*clerus*) governs, which believes that it can get along quite well without reason, — nay, after awhile, perhaps, even without sacred writings, — since itself, as the only authorized custodian and interpreter of the will of God, the invisible Law-giver, has alone the authority to administer the prescriptions of faith; and, armed with this power, has no need to convince, but needs simply to command.

"Now, since, with the exception of this priesthood, all other men are laymen, — even the head of the political Commonwealth, — the Church in the end rules the State, if not exactly through force, at any rate through its influence on the minds of men, and through its magnification of the advantages to be derived from an implicit obedience, to which obedience a spiritual discipline has even habituated thinking. But, in all this, the practice of hypocrisy imperceptibly roots out honesty and fidelity in the people, causing them to perform their services as citizens of a State also in the same hypocritical manner, and thus, like all false principles, results in the very reverse of what it was intended to effect."

Here, then, we have it clearly stated how and why a collision between Church and State is always possible, namely, because the love of power, alluded to before, is apt to induce the clergy to pervert the minds of the people in regard to their proper relation to the State government and the exercise of their individual freedom. The first kind of perversion, no government, whatever its form or nature may be, can tolerate; since it leads virtually to a submission of the legally constituted government to the control of an ecclesiastical

body, claiming supernatural, infallible authority. The darkest pages of history have been filled by the wars and persecutions that have resulted from this conflict between ecclesiastical and civil governmental organizations, wherever the former have laid arrogant claim to a direct inspiration from the Deity, denied to the laymen. The second kind of perversion no republican government can tolerate, because it undermines and finally eradicates that freedom of the individual which is the only support of republics, and which is the essence of morality, without which republican mode of thinking and action is impossible. To the people of the United States of America it is, therefore, of the utmost importance that this second kind of perversion of the public mind should be made impossible. There are two ways in which this can be accomplished. The first is afforded by our form of government itself, which, in its circular movement, provides for its own defence against its most dangerous enemy, — more dangerous always in proportion as it is a sneaking, insidiously working enemy. A republican form of government, based as it is upon individual freedom, and protecting that freedom to the utmost possible extent, necessarily brings up its citizens in the habit of liberty, and any attempt to infringe upon that liberty is immediately encountered by instinctive resistance. Whereas in other countries the priesthood is looked upon as a distinctive, superior body of men, the average citizen of our republic looks upon a clergyman as simply a human being like himself, the only difference arising from his chosen vocation. He has no inborn or acquired privileges as a clergyman, no special prerogative to assume authority over those who have chosen another vocation, and consequently no more or less authority to fix his particular views upon the State government than is enjoyed by the lowest citizen, each according to his gifts. So long as this spirit of individual freedom is cherished by the American people, there is no need to apprehend danger from the encroachment of the Church; but it is essentially necessary for the future enjoyment of this security, that this spirit of individual freedom should be fostered with the utmost care and vigilance.

The second mode is, to awaken the moral freedom within the individuals themselves, since morality abhors external authority and blind submission to the teachings of others, be they priests or so-called scientific authorities. To attain this purpose was the object of my

proposed elaboration of our public-school education, so as to make it embrace all the faculties and possibilities of the human physical, mental, and moral organization; to which I may, fittingly enough, allude here again, at the end of this book, as the basis and corner-stone of our civilization, liberties, and gradual approach to a full and free communion with the Deity. For this, after all, and this only, is the rational end of the history of our race.

THE END.

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This most able and scholarly quarterly published in this country devotes several pages of editorial comment to Mr. Hill's book, from which we extract the following: —

"It will be noticed by this index that Mr. Hill has discarded the theory of government that limits the scope of its functions to the maintenance of justice among men. He would have it also secure social well-being, — nurture, if we may so call it. In the current philosophical view, the functions of nurture, social combination, and the maintenance of justice are separated, and assigned respectively to one of the three institutions, — the family, civil society, the State. It is quite evident that within the family, for

instance, wherein the perpetuation of the race is cared for, a strict application of the principle of justice could not be expected. It would destroy the race if one were to treat all infants as though they were perfectly responsible beings, and with this view were to return upon the consequences of their deeds. Nurture is the shape of a rational treatment of the race in its infantile years, and nurture is even the predominating feature of the most rudimentary States, — *e.g.*, that of China. Civil society is an organism whose function is the supply of human wants, — food, clothing, and shelter. In this organism each man labors to produce a special product, which he contributes to the general store (*i.e.*, sells it in the market), and withdraws from the general store (*i.e.*, purchases in the market) a quantity of special products measured by the value of his own contribution. Each works for all, and all for each. But it is not done after the manner which Communism proposes. It is not equal contribution; neither is it equal distribution. In the family, however, there is community of goods: the wants of each are supplied from the common fund, regardless of the source of the contributions to it. This is nurture. In civil society, on the other hand, each draws out of the supply created by the combined endeavor of all, only an equivalent of what he puts in. Hence each man is self-determined, — receives the fruit of his own deeds. It is clear that this institution is governed by a principle which would destroy the race if it were applied within the family, and the infant to receive only what he earned. * * *

"Right here comes in the phase of municipal organization and public corporations. The labor of the individual in producing special products for the market is limited to such special products as may be exclusively possessed and used by others *individually*. But there are thousands of modes in which the welfare of society can be promoted by the application of labor to the removal of general obstacles or to the creation of general facilities: the highway, the bridge, the railroad, the canal, the aqueduct, the sewer, the useful invention, etc., etc. No single person can consume, entirely, one of such products as these. They are valuable to a whole community and to a series of generations. In order that human labor may be applied to such substantial productions as these, there must be some form of guaranty that such labor shall be remunerative; that it shall be able to convert into money its present labor, expended not for special commodities, but for the general good of the community at large, and it may be for the generations that are to come; that it shall be able to realize for itself special commodities for such general productive activity. The device invented for this purpose is the chartered corporation, — a semi-political, semi-social institution. It is clear that Mr. Hill would absorb, if not all, at least the greater part of this sphere into the State itself, and make it solely political. What is for the public weal shall belong to the State, is the principle set up in his book. The public health, the public education, money, highways, — even the newspaper, — shall come into the hands of the State.

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[*Editorial from the Globe-Democrat of July 16, 1875.*]

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